

THE ROLE OF THE LIEUTENANT GOVERNOR IN THE LEGISLATIVE
PROCESS IN THE UNITED STATES

by

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CHAPTER I

SCOPE AND METHOD

1. Purpose and Relevance of Inquiry

The office of the lieutenant governor in most states might be perceived as a governmental limbo. This is due in large part to the lack of legal authority in the office itself.

That the office of the lieutenant governor generally contains very little constitutional or statutory powers is an uncontested fact. It is possible, however, that because of his position as a party leader or as a close associate of the governor, the lieutenant governor would be in a position to exert influence on the legislative process. Admittedly, this influence would be extra-legal -- but this does not in any way make the influence exerted less real.

The principal objectives of this study will be to determine to what extent, by whatever means, the lieutenant governor does participate in the legislative process, and to determine to what degree extra-legal factors contribute to his influence.

2. Definition of Terms

The Role of the Lieutenant Governor in the Legislative Process refers to the degree to which he is an active or inactive participant in the legislative process.

The Legislative Process refers to all possible actions that might influence lawmaking in state legislatures in the United States.

Informal executive participation refers to those extra-legal activities and assistance that a lieutenant governor can perform to aid the governor with respect to the latter's executive functions.

3. Theoretical Framework

The theoretical framework for this study is based on the work of sociological theorists. As a basis for measuring the lieutenant governor's legislative influence, the authority and influence concept developed by Paul Miller was used. Although primarily utilized to investigate the decision-making process, it is well adapted to this inquiry.

Miller contends that decision-making depends upon two components -- authority and influence.

Authority consists of the rights and privileges given certain roles and positions within the community. For example, in every formally constituted group there are offices which give the incumbents special privileges in making of decisions.¹

Miller defines influences as the "possession of attributes by decision-makers which are valued as relevant by the community at large."² These attributes consist of such social resources as wealth, respect, morality, professional competence, organizational and ideological skill and personality

¹Paul A. Miller, A Comparative Analysis of the Decision-Making Process in Community Organization Towards Major Health Goals. (Unpublished Ph.D. Thesis, Michigan State College) 1953, p.21.

²Ibid., p.30.

features. According to Miller, the degree to which the decision-maker is a possessor of these attributes will determine the extent of his influence in the community in which he operates.

Most of the existing literature relating to the lieutenant governor is confined to treatment of the constitutional and statutory powers of the office.¹ A review of this literature indicates that none of these studies dealt with his extra-legal influence on the legislative process. Generalizations in this area of extra-legal influence can add considerably to our understanding of the role of the lieutenant governor in the political process.

When asked about the lieutenant governor's influence on legislation, a Speaker of the House in a mid-eastern state replied:

The only function of the lieutenant governor is to rise up early, read the morning papers and if he finds that the governor hasn't died during the night -- to go back to bed!

As to the usefulness of an inquiry into the role played by the lieutenant governor in the legislative process, the same official opined:

In one of the lands he visited Dean Swift's Gulliver encountered a group of scientists who were busy at the task of extracting sunlight from cucumbers. Perhaps it would be possible to extract sunlight from cucumbers, but what in thunder would you do with the sunlight after you had extracted it?

¹See Office of the Lieutenant Governor in the United States, R.F. Patterson. Governmental Research Bureau, South Dakota, 1944.

A study of the legislative influence of the lieutenant governor would be even more futile than the sunlight extracting experiment which Dean Swift accounts. For, you see, there might, as we have pointed out, be some sunlight in cucumbers, but as for the legislative influence of a lieutenant governor -- there just isn't any such thing.¹

This observation no doubt overstates the view that the office of lieutenant governor is relatively insignificant. Nevertheless, the existence of this office in thirty-eight states requires an empirical investigation to support or reject such a finding.

4. Method of Investigation

As a method of investigating the legislative role of the lieutenant governor, an instrument was devised to measure the information, advice and influence of the lieutenant governor in relation to other elements in the legislative process.

The following list of questions comprise the lieutenant governor's legislative participation scale. The categories of information, advice and influence used in this instrument are in large measure based upon the experience of the writer, who has served, since January, 1955, as the secretary to Michigan's lieutenant governor, Philip A. Hart. This questionnaire, designed to assess the extent of the lieutenant governor's participation in the legislative process was sent to majority and

¹Excerpts of letter to author from a speaker of the House in a mid-eastern state.

minority party leaders in both houses of thirty-six state legislatures.¹ An average of seven questionnaires was sent to each state and a response of 77 per cent was secured.² In those states that have no minority party leaders, chairmen of major committees were selected to participate in the study.³

Information, as herein defined, measures the frequency with which the lieutenant governor's office is contacted by key legislators in order to secure the following kinds of data:

1. Operations of an executive agency.
2. Parliamentary procedure and legislative rules.
3. The governor's position on a particular legislative measure.
4. Background and qualifications of proposed executive appointees.
5. The legislative position of a pressure group.

As the term is used here, advice refers to the frequency with which the lieutenant governor's recommendations are sought by key legislators on the following actions:

6. Desirability of sustaining or overriding executive veto.
7. How to vote on a bill.
8. How to handle a bill considered by the legislator's committee.
9. The text of a press release.
10. The political effects of legislative measures.

¹The names of the legislative party leaders were secured by sending a questionnaire to the Legislative Reference Bureau of each state that maintains the office of lieutenant governor. See appendix A for copy of questionnaire.

²See appendix B and appendix C for copies of questionnaire and letter that accompanied it.

³Chairmen of important committees were selected primarily because generally, he is a legislative leader and a person possessing legislative authority in a particular area.

The term influence is based on the frequency with which the following specific actions, by the lieutenant governor, are sought by key legislators:

11. To pass or defeat a bill in committee, or on the floor, that the legislator was interested in.
12. To secure an assignment on or affect the membership of a legislative committee.
13. To secure or weaken the support of a pressure group's position in relation to a legislative measure.
14. To make a parliamentary ruling favorable to the legislator's interest.
15. To confirm, disapprove, or alter the selection of an executive appointee.¹

As a second stage in investigation procedure, the extent of the lieutenant governor's extra-legal participation was related to the following variables:

1. Political composition of legislature.
2. Party status and public office experience of lieutenant governor.
3. Informal participation by lieutenant governor in executive process and certain biographical factors of lieutenant governor such as age, education, occupation and group support.

Most of the above information relating to the lieutenant governor was secured by sending a questionnaire to the thirty-six lieutenant governors included in the study. The data in these questionnaires will be compared to the lieutenant governor's

¹Method of scoring the questionnaire will be discussed in Chapter III.

participation score to determine if there is a significant relationship between participation and any of the variables listed in the questionnaire.

The material in this study is based on the assumption that the lieutenant governor's legislative participation will vary in each legislature due to certain social, political and biographical factors. This basic proposition in turn suggests the following hypotheses which can be tested by the data secured from this investigation:

- A. The lieutenant governor's extra-legal influence within the legislative process will be greater if the legislature is controlled by his political party.
- B. The lieutenant governor's legislative influence will vary in relation to his party status outside the legislature.
- C. The lieutenant governor's extra-legal legislative influence will vary in relation to the degree he participates in informal executive functions.

5. Limitation of the Study

This study appears to be the first attempt to assess the degree of the lieutenant governor's extra-legal influence in state legislative processes. The findings rest in large measure on the validity of the tools of the investigation that have been employed. It is assumed that the legislative participation instrument used here presents a reasonable measure of

the lieutenant governor's legislative influence. However, it would be useful to know whether the findings support the notion that the degree of legislative influence can be attributed to social and biographical factors set forth in the theoretical framework used in this study.

Studies, wherein findings are devised from questionnaire data, possess inherent limitations. The investigator has no way of knowing whether the questionnaires are answered by the proper parties, and there is also the fact that some inquiries do not elicit a response. Also, the findings are derived from legislative perceptions and not from direct observations. Thus, no check on inaccurate responses is being made.

In addition to the inherent limitation of the questionnaire technique, there is a more serious limitation in the present inquiry. The questionnaires used in the present investigation were sent to the formal leaders of both houses. It is impossible to determine whether or not such legal legislative leadership is nominal or real. A more comprehensive investigation would require that questionnaires be sent to all legislators. Limitation of time and money, however, precluded such an undertaking. For this reason the findings rest on the assumption that legal legislative leadership corresponds to a significant extent to actual legislative leadership. The validity of such a proposition would require an investigation quite different from the

one presently being undertaken.

Other shortcomings of the study relate to the technical inadequacy of the measurement instrument itself. There is no way of knowing that the components within the advice, information or influence category are of equal importance.¹ Thus, the total score ascribed to a given legislator's role may not be an accurate basis for comparison with the role ascribed to another legislator. For example, the information supplied by a lieutenant governor on a given piece of legislation may be more important than any specific action he may take. However, the knowledge and experience of the writer, nor the available literature on the subject, does not reveal any valid basis for discriminating between these factors.

It is assumed, however, that notwithstanding evaluative differences within the categories analyzed, the total sum will give a reasonably accurate basis for assessing the legislator's role. Thus, it is assumed that information is less important than advice and influence more important than either advice or information. The validity or invalidity of such a proposition cannot be determined within the range of present knowledge.

¹See March, James G., "Introduction to Theory and Measurement of Influence", American Political Science Review, vol. XLIX, pp. 431-451, June 1955.

As a background to this investigation, the office of lieutenant governor will be placed in historical perspective. Such an introduction has the purpose of discussing the origin of the office, its basis for existence, and trends for its adoption and abolition.

Following this introduction, an effort will be made to measure the extra-legal legislative participation of the lieutenant governor.

It is hoped that the present study opens the door to further inquiry into studies which may improve our knowledge and understanding of particular phases of the legislative process.

CHAPTER II

LEGAL AUTHORITY OF THE LIEUTENANT GOVERNOR

There are two views one can take about the office of lieutenant governor. One view holds that the office should be a device for relieving the administration and public relations burdens of the governor. In this connection, the lieutenant governor would serve as a liaison between the legislative and executive branches. Also, the office is viewed as a focal point in orderly succession of state governmental leadership.¹

The other view calls for the abolition of the office as an unnecessary governmental appendage, an anachronism, or as a direct evidence of political featherbedding.²

The holding of either viewpoint stirs little controversy, but the persistence of the office in thirty-eight states invites inquiry into the origins of the office and the way it functions in the governmental process.

An investigation of the origin and development of the office supports the view that the office was created for the sole purpose of providing orderly succession to the office of governor in the event of the governor's death or disability. Other possible functions that the office could provide were given little or no consideration by constitution framers.

¹See R. F. Patterson, "The Office of Lieutenant Governor in the United States". University of South Dakota, Governmental Research Review, Report No. 13, June 1944.

²See R. B. Crosby, "Why I Want to Get Rid of My Job". State Government, July 1947.

The office of lieutenant governor in the United States is first found in the governments of the colonial period. A typical colonial government consisted of a governor, deputy governor, council and general assembly. The earliest reference to a similar office is found in the Massachusetts charter of 1629 where mention is made of a "deputy governor" chosen by the freemen of the colony.¹ The title lieutenant governor was first mentioned in the Massachusetts charter of 1691 where provision was made for his succession to the governorship upon the death or removal of the chief executive.

Provisions for deputy governor were also written into the charters of several states including Connecticut and Rhode Island, but the Connecticut constitution of 1818 changed the title to Lieutenant Governor. Thus a provision for orderly succession to the office of governor was prescribed by charter in only a few states. In other states an officer having this function was designated on an ad hoc basis.

An example of succession in the colonial period is illustrated by an incident when Lieutenant Governor Pownall was sent to New Jersey in order to have a competent person on the spot to act whenever the infirmities of the governor made it impossible for him to attend the affairs of the governor.

¹See Isom, W. R., "The Office of the Lieutenant Governor in the States", American Political Science Review, October 1938, p. 921.

Our federal system allows each state to write its own constitution. This has led to different approaches to the establishment of the office of lieutenant governor by the various states since the federal constitution was adopted in 1789.

The institution and maintenance of the office of lieutenant governor in thirty-eight states tends to justify the assumption that the office has some sort of institutional role.

Warren Isom lists three major reasons for the existence of the office in these thirty-eight states.¹ The apparent popular desire for elected officials:

1. To replace the governor should an emergency arise.
2. To provide the senate with a presiding officer without depriving any district of its senator.
3. To follow precedent which favors the office from early colonial times.

A study of the origin of the office of lieutenant governor would indicate that the succession factor, serving the solitary function of replacing the governor in the event of the latter's absence, death or disability, was the primary justification for the establishment of the office.

It would seem then that the lieutenant governor's role as president of the senate, following the United States' constitution assignment of the vice-president to that responsibility,

¹Ibid., p. 922 .

was motivated by a desire to find something with which to keep the lieutenant governor busy.

Before turning to a discussion of the lieutenant governor's legal authority, attention should be directed to an authoritative evaluation of the office found in a survey of the lieutenant governor's office in 1944.¹

R. F. Patterson points to the fact that while the Model State Constitution omits the lieutenant governor, no state has taken steps by constitutional amendment to abolish the office. Patterson found that twenty of the thirty-six lieutenant governors had no other official duties beyond presiding over the senate.² In the same study an investigation was made of the various proposals dealing with an expansion of the lieutenant governor's powers. Until 1933 no state had taken definite steps to transform the lieutenant governor from a figurehead to an assistant governor.

In 1933, Governor McNutt of Indiana sponsored a reorganization plan which created eight administrative divisions to be controlled by the governor. Under this plan, the lieutenant governor was designated a member of the governing board of four of these departments. The governor also was empowered to name a chief administrative officer. As a result of the

¹Patterson, op. cit.

²There were only thirty-six lieutenant governors in 1944.

reorganization plan, the lieutenant governor was appointed chief administrative officer of the Department of Commerce and Industry. In 1941 the legislature of Indiana changed from a Democratic to a Republican majority. The reorganization plan was repealed and while the lieutenant governor was given the post of Commissioner of Agriculture, the office of lieutenant governor in Indiana was virtually back where it was before 1933. This marked the end of the first modern attempt to transform the lieutenant governor from a figurehead to an active administrative officer.

Table D on page 26, dealing with the lieutenant governor's executive authority, indicates that considerably more states have assigned the lieutenant governor to positions on various boards and commissions than was the case in 1944.

1. Legal Authority of the Office

A thorough examination of the constitutions and statutes of the thirty-eight states was made in order to gather the following information on the lieutenant governor's legal authority. The information speaks for itself and comment is limited to generalizations or trends revealed in the data.

2. Qualifications

The southern states are among those with the most restrictive qualifications for the office of lieutenant governor. On

the other hand, the western states seem to be the most lenient on these same qualifications. As is the case with other elected offices, the qualifications for the lieutenant governor are generally those concerning age, citizenship and residence. Washington and Wisconsin require only that their lieutenant governor be a citizen.

In viewing the qualifications table below (Table A), there seems to be a similarity of qualifications between states in geographic contiguous areas. For example, Nevada and California have exactly the same qualifications for the office. Montana, Idaho, South Dakota and Colorado have identical qualifications, as do Indiana, Illinois and Nebraska. In addition, there seems to be a pattern of lesser restrictions in a state which borders a state where the office does not exist. While Ohio, Kansas and Massachusetts have no limitation on qualifications, South Carolina requires that elected officials not deny the existence of a Supreme Being.

TABLE A

QUALIFICATIONS FOR THE OFFICE OF LIEUTENANT GOVERNOR
IN THE UNITED STATES

CODE: The first column represents age requirement.
The second column represents required years U. S. Citizenship.
The third column represents required years resident of state.

<u>STATE</u>				<u>STATE</u>			
Alabama	30	10	7	Montana	30	5	2
Arkansas	30	10	7	Nebraska	30	5	5
California	25		5	Nevada ²	25		5
Colorado	30		2	New Mexico ³	30	5	5
Connecticut	30			New York	30		5
Delaware ¹	30	12	6	North Carolina	30	5	2
Georgia	30	15	7	North Dakota	30		5
Idaho	30		2	Ohio ⁶			
Illinois ²	30	5	5	Oklahoma	31		10
Indiana	30	5	5	Pennsylvania	30		10
Iowa	30		2	Rhode Island			
Kansas ⁶				South Carolina	30	0	5
Kentucky	30		6	South Dakota	30		2
Louisiana	30	10	4	Tennessee			
Massachusetts ⁶				Texas	30		5
Michigan	30	5	2	Vermont			4
Minnesota	25		1	Virginia ⁵	30	10	5
Missouri	30	15	10	Wisconsin ⁵			

¹Not eligible for office after second term.

²After second consecutive term, may not hold office for two years.

³Need not reside at place of capitol.

⁴Must not deny Supreme Being.

⁵Citizen.

⁶None.

3. Election, Term and Compensation

Approximately half of the states (13) have a two-year term, while the remaining 19 states have a four-year term for the office of lieutenant governor. States having two-year terms are noticeably clustered in the geographic center of the country.

Every state with the exception of Connecticut provides that a lieutenant governor be selected by primary election.

Of those state officers elected at-large by the state, the lieutenant governor receives the smallest compensation. Seven states pay the lieutenant governor on a per diem basis while thirty-one states pay him an annual salary which averages \$3,900 in the top ten states.

Louisiana pays its lieutenant governor more than the neighboring states of Oklahoma and Arkansas combined. Nebraska and Iowa pay the lieutenant governor twice the salary of their state senators, while Montana, Idaho, Alabama and Virginia designate their lieutenant governor's salary the same as the Speaker of the House. It appears, as in other cases, that states fashion their statutes and develop an office on the basis of what a neighboring state is doing. A case might be built for the low salaries of the lieutenant governors in Montana, Idaho and Nevada on the fact that these states border on four states that do not have the office. However, the most

obvious reason for the lieutenant governor's low salary appears to be explained by the fact that in most states it is still a part-time job. In these states, when the legislature adjourns, the lieutenant governor closes his office and goes home.

4. Legislative Authority

The office of lieutenant governor, corresponding as it does to the office of vice-president of the United States, follows the duties of that office. And in thirty-three of the thirty-eight states that have a lieutenant governor, he is the presiding officer of the senate, but has little actual power over legislation. The lieutenant governor is not considered a member of the legislature and as a consequence, operates on the legislative sidelines similar to a referee who is responsible that the game is played according to rules but refrains from entering the contest.¹ And even here the comparison is inadequate because the umpire's decision is binding, but a lieutenant governor can generally be reversed in a parliamentary ruling by a majority of the senate.

Thus, it is apparent that the legal and parliamentary authority and influence of the lieutenant governor as president of the senate is contingent upon whether or not his party is a majority or a minority in the senate.

¹Governmentally, the lieutenant governor's role as president of the senate parallels that of England's Lord Chamberlin in the House of Lords.

TABLE B
ANNUAL SALARY AND LENGTH OF TERM OF THE LIEUT GOVERNOR
IN THE UNITED STATES

Alabama	\$20/day	4	Montana	\$25/day	4
Arkansas	\$2,500	2	Nebraska	\$1,744	2
California	\$14,000	2	Nevada	\$6,000 + \$15/day	4
Colorado	\$3,600	2	New Mexico	\$40/day	2
Connecticut	\$5,000	2	New York	\$10,000	4
Delaware	\$12/day	4	North Carolina	\$2,100	4
Georgia	\$2,000	2	North Dakota	\$1,000	2
Idaho	\$20/day	4	Ohio	\$8,000	4
Illinois	\$12,500	4	Oklahoma	\$3,600	4
Indiana	\$11,500	4	Pennsylvania	\$15,000	4
Iowa	\$4,000	2	Rhode Island	\$5,000	2
Kansas	\$2,400	2	South Carolina	\$1,000	4
Kentucky	\$3,000	4	South Dakota	\$2,100	2
Louisiana	\$7,500	4	Tennessee		
Massachusetts	\$8,000	2	Texas	\$25/day	2
Michigan	\$8,500	2	Vermont	\$2,500	2
Minnesota	\$3,000	2	Virginia	\$1,260	4
Mississippi	\$3,000	4	Washington	\$12,000	4
Missouri	\$15,000	4	Wisconsin	\$7,500	2

Twenty-six states give the lieutenant governor the power to cast a vote in case of tie. Michigan's lieutenant governor once had the power to debate all questions while the senate was in committee of the whole and the power to cast the tying vote. However, a Michigan Supreme Court decision ruled that the Michigan constitution requires a majority of the members of both houses to pass a law. The court said the lieutenant governor was not a member of the legislature and therefore his vote could not be counted as valid.¹

Thus, according to the court, the lieutenant governor's vote could only be valid when the proposal to be voted on was an internal affair such as a House, Senate or concurrent resolution.² Michigan rewrote its constitution a few years later and the casting vote provision was omitted.

The lieutenant governor as president of the senate is regulated in this role by the senate rules. Generally, these rules are not continuous or binding upon future legislatures, but are adopted or revised by majority vote at the beginning of each biennial session. This enables the senate majority party to keep complete control and allows this majority to change the rules should a majority lieutenant governor be replaced by a lieutenant governor from the minority party. Following the 1954 election of a Democratic lieutenant governor in

¹Kelley vs. Secretary of State, 149, Michigan, p. 345 (1907).

²For a similar case in Kansas, see Coleman vs. Miller, Pacific Reporter, vol. 71 2d, p. 513-523, affirmed. U.S. Supreme Court 307 U. S., pp. 433-474.

Michigan, the Senate Republican majority effected three major rule changes to safeguard against any possible embarrassment. The most important of these removed the lieutenant governor from the chairmanship of a five-man committee on committees which makes all senate appointments to standing, select and conference committees.¹

Six states give the lieutenant governor the authority to refer bills to the various committees. A few of the states give this prerogative to committees. In Wisconsin, South Carolina, Pennsylvania and Delaware the term "presiding officer of the senate" is used. Massachusetts allows the clerk of the senate to assign the bills to committees, with the approval of the president. Kentucky uses a Committee on Committees; Illinois a Bills Committee, California a Rules Committee, Nebraska, a Reference Committee. Nevada requires that the members of the senate assign the bills and in Ohio it is the majority leader. The assignment of bills to the various committees may at times prove to be a strategic power. But similar to the other legislative powers of the lieutenant governor, a simple majority of the senate may overrule the president and reassign a particular bill.

As presiding officer of the senate, the lieutenant governor is also responsible for making parliamentary decisions when a conflict over the senate rules develops. But here again,

¹Rule No. 5, Michigan State Senate Rules, Michigan Legislative Handbook, p. 132, 1956.

a majority of the members of the senate may override his ruling.

Perhaps the most significant legislative power that the lieutenant governor possesses is the right to participate in the assignment of senate members to the various standing committees at the start of each biennial session.

In one-party states it is not infrequent for the lieutenant governor to have complete power to make committee assignments. However, generally he cooperates with the majority leadership within a committee framework. At one time, Michigan's lieutenant governor had complete authority to make all committee assignments. In 1939, he began to share this power with the majority leadership as chairman of a five-man committee on committees. The present lieutenant governor of Michigan represents one of seven votes in the committee on committees but does have influence in assigning minority members to committees.

In summary, the lieutenant governor's legislative authority, for the most part, is derived from senate rules written by the majority party. Most of the lieutenant governor's legislative powers are non-constitutional and based upon the senate rules which may be amended by a majority of the senate members at any time. The lieutenant governor, as presiding officer of the senate, is a captive of his legislative environment and by necessity reflects and uses only those powers which the majority sees fit to grant him.

TABLE C

LEGISLATIVE AUTHORITY OF THE LIEUTENANT GOVERNOR IN
THE UNITED STATES

CODE: 1 - Presides over senate.
2 - Vote in case of tie.
3.- Right to debate in committee of whole.
4 - Refer bills to committees.
5 - Appoints senators to Boards and Councils.

Alabama	1,2,4	Montana	1,2
Arkansas	1,2,4	Nebraska	1,2
California	1,2	Nevada	1,2
Colorado	1,4,5	New Mexico	1,2
Connecticut	1,2,3,4	New York	1
Delaware	1,2	North Carolina	1,2
Georgia	1	North Dakota	1,2
Idaho	1,2,4	Ohio	1,2
Illinois	1,2	Oklahoma	1,2
Indiana	1,2	Pennsylvania	1,2
Iowa	1,2	Rhode Island	1,2
Kansas	1,2	South Carolina	1,2
Kentucky	1,2	South Dakota	1,2
Louisiana	1,2	Tennessee	none
Massachusetts	none	Texas	1,2,3
Michigan	1,4	Vermont	1,2
Minnesota	none	Virginia	1,2
Mississippi	1	Washington	1
Missouri	1,2,3	Wisconsin	1,2

5. Executive Authority

Twenty lieutenant governors have statutory assignments on various executive boards and commissions. In a number of cases, their executive responsibilities are restricted to ex-officio membership.

The following chart indicates that for the most part, the larger states assign the lieutenant governor to more positions on boards and commissions than in smaller states.

The lieutenant governors in the East and Midwest have more executive responsibilities than their counterparts in the South and Far West. Two types of executive responsibilities are evident. Four lieutenant governors serve as members of the Parole Board or Parole Advisory Boards, while three lieutenant governors serve on Emergency Appropriations Commissions. The lieutenant governor of Indiana is the only one that serves as the director of an executive state department.

The role of the lieutenant governor in informal executive participation will be discussed in Chapter IV. The following section of this chapter will present reasons why ten states failed to create the office of lieutenant governor.

TABLE D

BOARD AND COMMISSION MEMBERSHIPS

Alabama	None
Arkansas	State Board of Electors
California	Member of Board of Regents; Land Commission and Toll Bridge Authority
Colorado	State Board of Pardons and Governor's Council
Connecticut	Finance Advisory Commission
Delaware	State Board of Pardons
Georgia	Committee to study proposed legislative council.
Idaho	Appoints members to Veterans Interim Legislative Committee.
Illinois	Serves on joint Reference Bureau for governor; Illinois Budgetary Commission; Senate Chamber Maintenance Commission.
Indiana	Stream Pollution Control Commission; Indiana Common School Building Fund; Director of Department of Commerce, Industry, Agriculture and Public Relations.
Iowa	Appoints two members to Committee on Retrenchment and Reform; fills vacancies.
Kansas	State Emergency Fund Board; Soldier's Compensation Board; Legislative Council Chairman; Investigation Commission for State Institutions.
Kentucky	Disabled Ex-Servicemen's Board, chairman; Legislative Research Commission, chairman in governor's absence.
Louisiana	Voting Machine Board; Budget Appeal Commission; State Building Authority.
Massachusetts	State Board of Pardons.
Michigan	Transportation and Conservation Committee; Efficiency and Economy Committee; Interstate Cooperation Commission; Emergency Appropriations Commission.

Board and Commission Memberships (continued)

Minnesota	None
Mississippi	None
Missouri	Secretary Board of Public Buildings; Vehicle Review Board.
Montana	None
Nebraska	None
Nevada	Public Service Board.
New Mexico	None
New York	Board of Trustees, Cornell University and Forestry College.
North Carolina	Chairman State Board of Education.
North Dakota	None
Ohio	None
Oklahoma	None
Pennsylvania	Toll Bridge Authority; Secretary Board of Public Buildings.
Rhode Island	Parole Board in absence of governor; Board of Regents.
South Carolina	Secretary Board of Public Buildings.
South Dakota	None
Tennessee	None
Texas	Board of Trustees of State School for Blind; Appoints third member of managers of State Iron Industry; Committee for control of Centennial.
Vermont	Board of Canvas for Senatorial Election; Forest Board.
Virginia	Board of Trustees, Virginia Museum of Fine Arts.
Washington	None
Wisconsin	None

6. Why Ten States Failed to Create Office

Information available to explain why ten states failed to establish an office of lieutenant governor is exceedingly limited. The Library of Congress lent invaluable assistance to the author by conducting an extensive examination of the constitutional conventions of the ten states that do not have an office of lieutenant governor. The legislative reference section of the library reported that complete accounts of the constitutional conventions of the ten states could be obtained only through research in unpublished material. However, the congressional library was able to provide a sufficient summary of the constitutional debates for our purposes.

Utah and New Jersey constitution debates provide the only satisfactory discussion. In Arizona, Florida, Maine, Maryland, New Hampshire, Oregon, Tennessee, West Virginia and Wyoming, information is either non-existent, extremely limited or consists of one or two brief references in the debates of the constitutional proceedings.

Several states went on record as opposing the creation of the office because of the additional expense involved. Some of the delegates reasoned that their state had operated successfully without the office in the past and could do so in the future. In 1930, the West Virginia electorate had the opportunity to vote on the establishment of the office of lieutenant governor. The measure was defeated 172,703 to 43,731.¹

¹Lambert, Oscar Doane, West Virginia and Its Government, Boston, D.C. Heath & Co., 1951, p. 149.

The following summary of the discussion of the Utah and New Jersey constitutional conventions provide an interesting insight into the problem. The reasons presented here show the types of rationale used to support or deny the need for an office of lieutenant governor in Utah and New Jersey.

Pro Arguments:

1. Need impartial man presiding over the senate.
2. People should elect a man to serve in the event of the disability of the governor.
3. Other offices, Secretary of State, etc., have full-time position for which they are responsible.
4. Provide assistance to the governor.
5. President of the senate should represent all the people.

Con Arguments:

1. Means creating an extra office.
2. Other wealthier and more inhabited states operate without it.
3. Economizing of government consistent with public good.
4. Would mean unwarranted additional expense.
5. Lieutenant governor not experienced to preside over senate.
6. A disrupting office if a party member in opposition to senate majority or governor's party.
7. Rival to the governor, endangering his executive position and leadership.
8. Only a social accessory to the governor's office.

The debates of these two states were used because they include the arguments for and against the establishment of a

lieutenant governor's office also found in the constitutional proceedings of other states.¹

7. Trends Toward Adoption of the Office

Since 1945, Georgia and Tennessee have created the office of lieutenant governor. The writer, after reviewing periodicals and journals in addition to writing the Georgia Library and Legislative Service Bureau, was unable to secure reasons why Georgia adopted the office.

In Tennessee, the office of lieutenant governor, although considered in previous constitutional conventions, was not incorporated into the constitution until 1951.

The principal reason for the adoption of the office of lieutenant governor in Tennessee is traced to the confusing situation with regard to succession to the governorship. The previous Tennessee constitutions had made the speakers of the senate, and then the House the line of succession to the governorship.

However, if the governor were to die before January of the new year for which he had been elected, the legislative mechanism for arriving at a speaker of the senate would not have been resolved. Consequently, if the death of the governor should take place under these circumstances, there would be no

¹See appendix E for summary constitutional debates related to office of the lieutenant governor in New Jersey, Oregon, Tennessee, Utah, West Virginia and Wyoming.

executive working in the capacity of governor until at least January of the new year.

In 1941, an attempt to remedy this provided that the secretary of state would become governor if the governor should die and the speaker's office be vacant at that time.

However, there was serious concern over this, due to the fact that the office of secretary of state, being appointed by the concurrent action of the legislature for four years, was not an elected position or subject to election by the voters of the state.

The impact of the possibility of succession to the governorship by a non-elected office plus the confusion concerning succession no doubt made the office of lieutenant governor a much more favorable means of facilitating and solving the problem of succession. This apparently was the underlying force which gave supporters of the office the margin of victory.

Apparently the desire to create an agent capable of orderly and quick succession in the event of gubernatorial incapacity was the principal reason why Tennessee created the office of lieutenant governor in 1951.¹

¹See appendix F for letter giving full details of Tennessee's establishment of the office of lieutenant governor.

8. Summary

Included in this chapter was a discussion of the origin and establishment of the office of lieutenant governor, and a review of the lieutenant governor's legal authority. Also presented were reasons why ten states failed to establish the office and trends toward adoption of the office.

A brief analysis of the establishment of the office in the Colonial era led to the conclusion that the office was created primarily to provide the governor with a replacement in an emergency.

A review of the lieutenant governor's legal authority produced the following conclusions:

- a. There is a similarity of constitutional provisions for the office of lieutenant governor between states in geographic contiguous areas.
- b. The lieutenant governor's legislative authority is regulated by senate rules which can be amended at any time by a majority vote.
- c. Eighteen lieutenant governors have no executive authority in terms of positions on boards or commissions.

An examination of the proceedings of the constitutional debates of the ten states which failed to create the office was made.

The principal reasons against adopting the office in these states were:

- a. Unwarranted expense.
- b. Other states operate without it.
- c. A rival to the governor.

Georgia and Tennessee have adopted the office of lieutenant governor since 1945. Tennessee established the office in 1951 due to a confused situation with respect to gubernatorial succession in the event of the governor's death.

Chapter III will bring into focus the legislators' assessment of the extent of the lieutenant governor's legislative participation.

CHAPTER III

LEGISLATIVE PARTICIPATION OF LIEUTENANT GOVERNOR

As noted in Chapter I, this study was initiated for the purposes of assessing the extent of the lieutenant governor's extra-legal participation within the legislative process.

The lack of the lieutenant governor's legal authority has caused some political scientists to dismiss the office as useless. However true this may be, it is possible that some lieutenant governors may exert considerable extra-legal influence in the legislative process, and it is the writer's assumption that neither theory can be proved or disproved without some attempt to investigate the facts empirically.

The Participation Scale used in this study is based on the author's knowledge of the lieutenant governor's role in the Michigan legislature. The participation scale is divided into three categories: that of information, advice and influence. While influence theorists¹ warn that it is difficult to assign different values to different units, it was thought that by dividing the questions into the above categories, some provision would be made to separate contacts made to secure simple information from contacts made to secure help on policy decisions of importance.

¹J. G. March, op. cit., p. 448.

1. Method of Scoring

Legislators were asked to circle their choice within the advice, information and influence categories. Each question was scored in accordance with the extent of participation as determined by the alternatives selected by the responses. Each questionnaire was scored as follows:

never 0 seldom 5 occasionally 10 often 15 very often 20

The score for each question thus ranges from 0 to 20. The highest possible score would be 300 points (fifteen questions times 20 points); and the lowest possible score would be 0.

A score was sub-totaled for each section of the questionnaire (i.e., information, advice and influence) and the grand total or index score represents the sum derived from the responses within each of the categories. A summary index score sheet presents the rank order of participation for each lieutenant governor.¹

2. Summary Index Score

The index score represents the total average score for the three categories: information, advice and influence.² States having less than two respondents in each house were not included in the chart. The summary score sheet presents the states in rank order. Thus, Colorado's lieutenant governor, as viewed

¹See appendix G for score sheet designed to compute each lieutenant governor's score in relation to the three categories.

²See appendix H for breakdown of information, advice and influence score.

by party leaders in the Colorado legislature, rated him higher than any other lieutenant governor in terms of legislative participation.

Only two lieutenant governors had the same score. Moreover, there was no marked drop in the participation score of the lieutenant governors. The chart shows that the rate of participation of the lieutenant governors ranged from 103.8 to 10.5 indicating a wide disparity in the legislative participation of the lieutenant governors.

The data below reveals that 59 per cent of the total responses for all questions fell into the never category, while only 1 per cent of the responses indicate that the legislature sought information, advice and influence from the lieutenant governor very often. A review of the questionnaires also showed that the lieutenant governor was contacted by legislators most frequently on matters dealing with parliamentary procedure and least frequently on affairs dealing with executive vetos and appointments.¹

Response Category --	<u>Never</u>	<u>Seldom</u>	<u>Occasionally</u>	<u>Often</u>	<u>Very Often</u>
Total Responses --	1,583	487	414	153	28
Percentage --	59%	18.4%	15.5%	5.7%	1%

This data indicates that the lieutenant governor's extra-legal role in the legislative process, as viewed by legislators, is one of virtual non-participation.

¹See appendix I for total response breakdown on legislative participation scale.

However, it would be useful to discover the factors, if any, which would appear to explain the wide disparity in the legislative participation of the lieutenant governors.

The index of participation was examined in relation to the following variables: age, occupation, education, dominant group support, office holding experience, political party composition of legislature and party positions held. This information was obtained by sending a questionnaire to each lieutenant governor. All but seven lieutenant governors responded.¹

¹See appendix J and appendix K for copy of letter and questionnaire sent to lieutenant governors.

TABLE E

SUMMARY INDEX SCORE SHEET*

<u>RANK ORDER OF PARTICIPATION</u>	<u>QUEST. SENT</u>	<u>NO. OF RESPONSES**</u>	<u>STATE</u>	<u>SCORE</u>
1	10	7	Colorado	103.8
2	8	5	Texas	87.3
3	9	6	Nevada	84.9
4	9	6	Virginia	83.7
5	8	5	North Dakota	83.1
6	8	4	Idaho	70.5
7	8	8	Connecticut	68.7
8	9	7	Iowa	67.8
9	8	7	Rhode Island	67.5
10	10	9	Indiana	66.9
11	12	8	New Mexico	66.6
12	10	7	South Dakota	66.0
13	9	8	Kansas	64.8
14	8	7	South Carolina	63.9
15	8	6	Alabama	60.0
16	8	7	Minnesota	60.0
17	7	6	Vermont	56.2
18	8	6	Wisconsin	49.8
19	7	7	Georgia	46.0
20	8	7	California	41.1
21	13	8	Washington	40.6
22	8	6	Delaware	37.5
23	12	10	Montana	34.5
24	8	5	Pennsylvania	32.7
25	8	6	Arkansas	28.5
26	9	9	Oklahoma	28.2
27	8	7	Missouri	27.0
28	11	11	Illinois	25.5
29	9	8	Ohio	24.9
30	11	6	Michigan	13.3
31	10	10	Massachusetts	10.5

*Insufficient data from seven states necessitated their exclusion from the participation scale in this chapter.

**There was 77 per cent response.

Age

The age of the lieutenant governor ranged from 34 to 66 years. Five of the lieutenant governors were in the 30-40 classification, six were 60 or over. Eight lieutenant governors were in the 50-60 age classification, while twelve were in the 40-50 age group. Table F is designed to show the relationship between age and participation. However, as the rank order column will show, there is no relationship between age and participation.

Occupation

Table G is designed to determine the relationship between participation and occupation. As the chart will show, sixteen lieutenant governors were attorneys, ten were businessmen and five were farmers. Although the lieutenant governors of Colorado and Texas have the highest score and are attorneys, five out of the seven lieutenant governors that ranked lowest in participation are also attorneys. The table failed to indicate any relationship between participation and occupation.

TABLE F

THE RELATIONSHIP BETWEEN PARTICIPATION AND AGE

<u>STATE</u>	<u>RANK ORDER</u>	<u>AGE</u>	<u>RANK ORDER</u>	<u>DEVIATION</u>
Colorado	1	41	6	5
Texas	2	51	18	16
Nevada	3	51	19	16
Virginia	4	55	22	18
North Dakota	5	63	28	23
Idaho	6	66	31	25
Connecticut	7	42	9	2
Iowa	8	57	25	17
Rhode	9	44	12	3
Indiana	10	46	14	4
New Mexico	11	40	5	6
South Dakota	12	50	17	5
Kansas	13	49	16	3
South Carolina	14	34	1	13
Alabama	15	45	13	2
Minnesota	16	42	8	8
Vermont	17	56	24	7
Wisconsin	18	47	15	3
Georgia	19	37	2	17
California	20	55	23	3
Washington	21	65	30	9
Delaware	22	39	3	19
Montana	23	62	27	4
Pennsylvania	24	54	21	3
Arkansas	25	39	4	21
Oklahoma	26	63	29	3
Missouri ²	27	53	20	7
Illinois	28	61	26	2
Ohio	29	42	7	22
Michigan	30	43	10	20
Massachusetts	31	44	11	20

TABLE G

THE RELATIONSHIP BETWEEN PARTICIPATION AND OCCUPATION

<u>STATE</u>	<u>RANK ORDER</u>	<u>OCCUPATION</u>
Colorado	1	Attorney
Texas	2	Attorney
Nevada	3	Merchant
Virginia	4	Attorney
North Dakota	5	Farmer
Idaho	6	Farmer
Connecticut	7	Attorney
Iowa	8	Businessman
Rhode Island	9	Attorney
Indiana	10	Businessman
New Mexico	11	Attorney
South Dakota	12	Farmer
Kansas	13	Publisher
South Carolina	14	Attorney
Alabama	15	Attorney
Minnesota	16	Insurance
Vermont	17	Attorney
Wisconsin	18	Attorney
Georgia	19	Attorney
California	20	Rancher
Washington	21	Businessman
Delaware	22	Businessman
Montana	23	Druggist
Pennsylvania	24	Contractor
Arkansas	25	Attorney
Oklahoma	26	Farmer
Missouri	27	Attorney
Illinois	28	Attorney
Ohio	29	Businessman
Michigan	30	Attorney
Massachusetts	31	Attorney

Education

Table H is designed to determine what relationship, if any, exists between education and the extent of the lieutenant governor's participation in the legislative process. The chart discloses that over half of the lieutenant governors had law degrees. The educational attainment of the other fifteen lieutenant governors ranked from one undergraduate college degree (Indiana) to five high school diplomas. Eight lieutenant governors had some college while one was a graduate of business school.

The chart indicates that each degree of educational achievement is represented within the top ten legislative participants. Of the top ten participants, three lieutenant governors had law degrees, three had some college, one was a college graduate, one was a graduate of business school and one was a high school graduate. However, the chart also indicates that five out of the six lowest ranked participants also had law degrees. On the basis of this chart, there is no relationship between education and the extent of the lieutenant governor's legislative participation.

TABLE H
THE RELATIONSHIP BETWEEN PARTICIPATION AND EDUCATION

<u>STATE</u>	<u>RANK ORDER</u>	<u>EDUCATIONAL ACHIEVEMENT</u>
Colorado	1	Law degree
Texas	2	Some college
Nevada	3	High school
Virginia	4	Some college
North Dakota	5	Business school
Idaho	6	Some college
Connecticut	7	Law degree
Iowa	8	Some college
Rhode Island	9	Law Degree
Indiana	10	College degree
New Mexico	11	Law degree
South Dakota	12	Some college
Kansas	13	Some college
South Carolina	14	Law degree
Alabama	15	Law degree
Minnesota	16	Advanced degree
Vermont	17	Law degree
Wisconsin	18	Law degree
Georgia	19	Law degree
California	20	Some college
Washington	21	High school
Delaware	22	High school
Montana	23	Pharmacy degree
Pennsylvania	24	High school
Arkansas	25	Law degree
Oklahoma	26	High school
Missouri	27	Law degree
Illinois	28	Law degree
Ohio	29	Some college
Michigan	30	Law degree
Massachusetts	31	Law degree

Years in Public Office

The number of years in public office for the lieutenant governors ranked all the way from 26 years to none. Two lieutenant governors had no public office experience and three others had only two years experience. Table I reveals that there is no significant relationship between years in public office and the degree to which the lieutenant governor participates in the legislative process.

However, the chart does indicate that eighteen of the lieutenant governors had previous legislative experience. It shows also that seven of the top ten ranked lieutenant governors in participation had previous legislative experience.

These findings indicate, while there is no relationship between participation and years in public office, there does seem to be a relationship between previous legislative experience and participation.

TABLE I

THE RELATIONSHIP BETWEEN PARTICIPATION AND YEARS IN PUBLIC OFFICE

<u>STATE</u>	<u>RANK ORDER</u>	<u>YEARS</u>	<u>RANK ORDER</u>	<u>POSITIONS*</u>
Colorado	1	10	18	1
Texas	2	14	11	1,10
Nevada	3	2	29	0
Virginia	4	25	2	1
North Dakota	5	8	22	1
Idaho	6	2	28	1
Connecticut	7	13	14	1,2
Iowa	8	24	3	1
Rhode Island	9	23	4	3,5,9,11
Indiana	10	9	20	1
New Mexico	11	13	13	1
South Dakota	12	6	24	1
Kansas	13	4	26	5
South Carolina	14	11	16	1
Alabama	15	13	12	1
Minnesota	16	2	27	7
Vermont	17	10	17	1,3
Wisconsin	18	22	5	1,13
Georgia	19	19	8	4
California	20	26	1	1
Washington	21	4	25	0
Delaware	22	1	31	0
Montana	23	17	10	1
Pennsylvania	24	11	15	1
Arkansas	25	9	19	0
Oklahoma	26	1	30	0
Missouri	27	21	6	1,3,8,12
Illinois	28	17	9	5,6,13
Ohio	29	8	21	8
Michigan	30	7	23	3,5,7,13
Massachusetts	31	19	7	1,6

-
- *0 - Lieutenant Governor
 - 1 - Legislator
 - 2 - Judge
 - 3 - Government attorney
 - 4 - Executive department head
 - 5 - Member state board or commission
 - 6 - Alderman
 - 7 - District supervisor of federal agency
 - 8 - Mayor
 - 9 - City employee
 - 10 - State elected official
 - 11 - State department employee
 - 12 - Member school board
 - 13 - County board of supervisors

Political Party Composition in Legislature

The second hypothesis set forth in Chapter I assumed that: The lieutenant governor's extra-legal influence within the legislative process will be greater if the legislature is controlled by his political party.

A review of Table J reveals that in twenty-one states both houses of the legislature are controlled by the same political party as that of the lieutenant governor. In three of the remaining ten state legislatures, both houses are controlled by the opposite party from that of the lieutenant governor, while in five states, one house of the legislature is dominated by the opposite party. Minnesota has a non-partisan legislature. An examination of the table shows that among the top ten ranked states in participation there is included six states in which the lieutenant governor's party controls both houses and three states where one of the houses is controlled by the opposite party. In Rhode Island (9th), the house is controlled by the lieutenant governor's party, but membership in the senate is equally divided between Democrats and Republicans.

In the ten lowest ranked states, five state legislatures are controlled by the lieutenant governor's party; two were controlled by the opposite party. In the remaining three states, one house was dominated by the opposite party.

These findings indicate that there is no significant relationship between the political composition of the legislature and the degree to which the lieutenant governor participates within the legislative process. Therefore, the hypothesis set forth above is not supported by the evidence secured.

Dominant Group Support

Data to determine the nature of group support was derived from the questionnaire sent to each lieutenant governor. Therefore, it reflects only the lieutenant governor's assessment of his group support. Nine lieutenant governors responded that they ^{are} ~~has~~ the support^d ^{by} of all groups equally. Eight lieutenant governors answered that their support was predominantly urban, while seven others visualized their support as primarily rural. The lieutenant governor of Pennsylvania and Minnesota claimed labor as their dominant supporting group, while the lieutenant governor of Montana indicated that the small businessmen constituted his chief support. Here again, there seems to be no relationship between participation and a particular kind of group support.

TABLE J

THE RELATIONSHIP BETWEEN PARTICIPATION AND POLITICAL PARTY
COMPOSITION IN THE LEGISLATURE

<u>STATE</u>	<u>RANK ORDER OF PARTICIPATION</u>	<u>PARTIES IN LEGISLATURE*</u>
Colorado	1	4
Texas	2	1
Nevada	3	2
Virginia	4	1
North Dakota	5	1
Idaho	6	1
Connecticut	7	3
Iowa	8	1
Rhode Island	9	3**
Indiana	10	1
New Mexico	11	1
South Dakota	12	1
Kansas	13	1
South Carolina	14	1
Alabama	15	1
Minnesota	16	5
Vermont	17	1
Wisconsin	18	1
Georgia	19	1
California	20	1
Washington	21	1
Delaware	22	4
Montana	23	2
Pennsylvania	24	3
Arkansas	25	1
Oklahoma	26	1
Missouri	27	1
Illinois	28	1
Ohio	29	1
Michigan	30	4
Massachusetts	31	2

-
- *1 - Senate and House same as lieutenant governor.
 2 - Senate same and House different from lieutenant governor.
 3 - House same and Senate different from lieutenant governor.
 4 - Both houses different from lieutenant governor.
 5 - Non-partisan.

**Membership in senate divided equally between Democrats and Republicans.

TABLE K

THE RELATIONSHIP BETWEEN PARTICIPATION AND DOMINANT GROUP SUPPORT

<u>STATE</u>	<u>RANK ORDER</u>	<u>DOMINANT GROUP SUPPORT*</u>
Colorado	1	2
Texas	2	1
Nevada	3	2
Virginia	4	1
North Dakota	5	4
Idaho	6	no reply
Connecticut	7	no reply
Iowa	8	1
Rhode Island	9	2
Indiana	10	3
New Mexico	11	3
South Dakota	12	3
Kansas	13	2
South Carolina	14	1
Alabama	15	2
Minnesota	16	5
Vermont	17	3
Wisconsin	18	1
Georgia	19	1
California	20	3
Washington	21	1
Delaware	22	2
Montana	23	6
Pennsylvania	24	5
Arkansas	25	1
Oklahoma	26	1
Missouri	27	2
Illinois	28	3
Ohio	29	3
Michigan	30	2
Massachusetts	31	no reply

-
- *1 - All groups equally
 2 - Urban
 3 - Rural
 4 - Urban and Rural
 5 - Labor
 6 - Small Business

Party Status and Participation

The third hypothesis listed in Chapter I assumed that:
The lieutenant governor's legislative influence will vary in relation to his party status outside the legislature. It was also assumed that the number and nature of the political positions held by the lieutenant governor would serve as a reasonable criterion for assessing his status in the party.

The following list of party positions represents the scale by which the lieutenant governor's party status was evaluated:

1. State chairman.	6 points
2. National committee member.	5 points
3. State central committee member.	4 points
4. Delegate to national convention.	4 points
5. County chairman.	3 points
6. Member of county committee.	2 points
7. Officer or member of any political organization below county level.	1 point
8. All other delegates.	1 point
9. No political office experience.	0 points

Points were assigned according to the degree of support required to attain the position. The state chairman received the highest amount of points (6), while the lowest amount of points represents no political office experience.

An investigation of the table below will disclose that the total score for political office experience of the top ten ranked legislative participants is 29 points, while the total

TABLE L

THE RELATIONSHIP BETWEEN PARTICIPATION AND PUBLIC OFFICE EXPERIENCE

<u>STATE</u>	<u>RANK ORDER</u>	<u>POINTS</u>	<u>POSITIONS*</u>
Colorado	1	3	6,7
Texas	2	5	2
Nevada	3	6	6,4
Virginia	4	4	3
North Dakota	5	6	6
Idaho	6	0	0
Connecticut	7	5	3,7
Iowa	8	0	0
Rhode Island	9	0	0
Indiana	10	0	0
New Mexico	11	2	-**
South Dakota	12	0	0
Kansas	13	7	3,5
South Carolina	14	2	-***
Alabama	15	8	3,4
Minnesota	16	6	1
Vermont	17	9	2,3
Wisconsin	18	5	5,6
Georgia	19	5	2
California	20	4	4
Washington	21	1	7
Delaware	22	4	3
Montana	23	6	1
Pennsylvania	24	7	5,3
Arkansas	25	1	7
Oklahoma	26	0	0
Missouri	27	3	5
Illinois	28	0	0
Ohio	29	0	0
Michigan	30	1	7
Massachusetts	31	0	0

*1 - State chairman.	6 points
2 - National committee member.	5 points
3 - State central committee member.	4 points
4 - Delegate to national convention.	4 points
5 - County chairman.	3 points
6 - Member of county committee.	2 points
7 - Officer or member of any political organization below county level.	1 point
8 - All other delegates.	1 point
9 - No political office experience.	0 points

**National committeeman, Young Democrats.

***Presiding officer state convention.

score for the next ten is 48 points. Included in the top ten ranked legislative participants were four lieutenant governors with a score of 0 which represents no political office experience.

The data reveals that there is no relationship between the lieutenant governor's party status and the degree to which he participates in the legislative process, therefore the data does not support the hypothesis set forth above.

3. Factors affecting Participation

Since few of the variables discussed in this chapter help to explain the extent of the lieutenant governor's participation in the state legislative process, the question naturally arises: What factors, if any, explain why some lieutenant governors have more influence in the legislature than others?

The legislators were asked in the questionnaire sent them to make additional remarks about the lieutenant governor's participation in the legislature.

These remarks are useful in helping to explain why the legislators credited the lieutenant governor with varying degrees of influence in the legislature.

4. Explanation for Non-Participation

Most generally, legislators assigning the lieutenant governor little influence in the legislature did so because they were members of the House of Representatives or members

of the opposite party; and as a consequence, had little contact with the lieutenant governor. Others explained that they gave the lieutenant governor a low score because their contacts with him were largely "personal only and never in an official capacity." There was a tendency among legislators with considerable legislative experience to assign the lieutenant governor a low score because as one senator from South Dakota said:

You must understand that by the time a man has been in the legislature as long as I have, he knows as much or more than most of our candidates for lieutenant governor. Therefore, I need much less advice and assistance than a new man coming up.

The following remarks are excerpts of letters from legislators in various states giving their views as to why the lieutenant governor does not participate in the legislative process in their state:

Representative:

I'm afraid my answers won't be much help to you, you see the lieutenant governor was a Democrat all the time I was in the New Mexico legislature so naturally we didn't have much use for one another on political issues.

I feel the lieutenant governor has probably the least influence over a legislature than any of the floor leaders or speaker of the house. It seems to me his main strength is in his ability or inability with parliamentary procedure as President of the Senate to be his main source of strength.

Senator - Minnesota:

In my opinion the lieutenant governor's influence is felt mostly only with members of his own political party. Members of the opposite party have little to do with him as far as matters of government are concerned. In other words he is merely the presiding officer as far as they are concerned.

Senator - Ohio:

I have served three terms in the Ohio senate, and my answers no doubt show how seldom the lieutenant governor is consulted by members of the senate. During all three terms our lieutenant governor has been of the same political party (Republican) as I am.

...the office carries no power and consequently no reason for consulting with him. As he votes only in case of tie and serves on no committees, the only real influence he has is in regards to recognizing members on the floor. Even this is of small importance since due to the small size of our body everyone can be recognized to speak on a measure, who desires to do so.

Representative - Massachusetts:

In Massachusetts the lieutenant governor has no duties or influence in the legislature except on a personal basis with his friends.

Speaker of the House:

In the absence of the governor, he becomes acting governor, but under no circumstances does he command any influence regarding the decisions of the legislature.

5. Personality and Participation

Legislators who went on record as believing that the lieutenant governor was influential in the legislative process were in the minority. Generally, those who thought the lieutenant governor possessed considerable influence in the legislature were from one party states in the south. Some ranked the lieutenant governor high because of his legal authority to appoint committees, refer bills, etc.

The following explanations of the lieutenant governor's influence suggests the extent to which the personality variable explains the legislative influence of the lieutenant governor:

Senator - South Dakota:

The lieutenant governor's influence or lack of it depends a great deal on his individual personality and qualifications.

For instance if he is well liked, highly respected and well informed his influence is felt accordingly.

Senator - Virginia:

The frequency, or lack of frequency, that the lieutenant governor is consulted depends frequently on how strong the personal friendship is between you and him.

Unless the Governor should be of different political party, he would usually be consulted on the matters referred to.

Senator - Delaware:

Lieutenant governor position can be very important depending solely on attitude or ambition of the particular person - He can make himself useful or just ornamental as he sees fit. It is a good spot for an ambitious person due to the fact that he is not required to vote on any issue and therefore avoids the possibility of making enemies within his own party.

Senator - Idaho:

The influence of the lieutenant governor is far more personal than political, and varies in effect with the individual.

The position and power extended to the lieutenant governor gives him an avenue of tremendous influence if he is capable of holding the respect, confidence and admiration of the members of the senate. His influence will rise and fall on those three things.

It may be concluded from the above remarks that the lieutenant governor's legislative influence depends to a degree on personal qualities. While this study makes no attempt to analyze the lieutenant governor's personality, this would be an interesting subject for future research.

6. Summary

Chapter III has been an inclusive chapter. Within it the lieutenant governor's legislative participation score was presented and compared to seven variables. It was found that nearly 60 per cent of the legislator's responses to the fifteen questions dealing with the extent to which the legislators contacted the lieutenant governor for information, advice and influence fell in the never category. Only 1 per cent of the total responses fell in the very often category. This indicates that the lieutenant governors on the whole were viewed as non-participants or having little influence in the legislative process. However, a review of the questions did reveal that the lieutenant governor is consulted most frequently on matters pertaining to parliamentary procedure and less frequently on affairs dealing with executive vetos and appointments.

The legislative participation scores were compared to seven social, biographical and political variables to determine what relationship, if any, existed between participation

and the seven variables. Of these variables subjected to analysis, it was found that no relationship existed between six of the seven and participation. However, there was found to be a relationship between the lieutenant governor's public office experience and participation. Eight of the top ten ranked lieutenant governors in participation had previous legislative experience while only four of the ten lowest ranked lieutenant governors had previous legislative experience.

Excerpts of legislator's views on the lieutenant governor's role in the legislative process suggests that personality is the most important variable used by legislators to explain the lieutenant governor's influence in the legislature.

Two of the focal hypotheses of this study have been tested and on the basis of the findings negated. The third hypothesis will be tested in the next chapter.

The next chapter deals with the lieutenant governor's informal executive participation. An effort will be made to compare the lieutenant governor's informal executive participation to determine what relationship, if any, exists between it and the lieutenant governor's legislative participation.

CHAPTER IV

THE RELATIONSHIP BETWEEN LEGISLATIVE PARTICIPATION AND
EXECUTIVE PARTICIPATION

The variables used in Chapter III, for the most part, failed to disclose any significant relationship which would tend to explain the extent of the lieutenant governor's participation in the legislative process.

This chapter will focus on the third hypothesis listed in Chapter I which stated that: The lieutenant governor's legislative participation will tend to vary in relation to the degree to which he participates informally in the executive process. The term informal participation in the executive process, as used here, refers to extra-legal activity and assistance that a lieutenant governor can perform to aid the governor with respect to the latter's executive functions.

In order to analyze the above problem, an executive participation scale was constructed and sent to the governor of each state that maintains an office of lieutenant governor. Out of thirty-six questionnaires sent, thirty-four were returned.¹

The method of scoring the questionnaires is similar to that used in the legislative participation questionnaire. The highest possible score is 140 points and the lowest possible score is 0.²

¹Kentucky, Louisiana and New York were not included in the executive participation chart due to insufficient political and biographical data on the lieutenant governors of those states.

²See appendix L for copy of questionnaire.

The following seven questions are based on the writer's knowledge of the various actions a lieutenant governor may perform to lend assistance to the governor:

1. How often has the lieutenant governor been present at executive policy or staff meetings?
2. How frequently has the lieutenant governor been consulted on important executive appointments?
3. To what degree has the lieutenant governor been asked for advice relative to an executive veto?
4. How often has the lieutenant governor represented the governor at official functions?
5. To what extent has the lieutenant governor been asked by the governor to line up support for his program in the legislature?
6. How often has the lieutenant governor been asked by the executive office to win the support of key individuals or interest groups outside of government for one of the governor's legislative measures?
7. How often has the lieutenant governor received assignments from the governor to develop a legislative program?

The lieutenant governor's extra-legal executive participation score sheet below lists in rank order the scores that thirty governors assigned to their lieutenant governors in relation to the latter's degree of informal executive participation.

Minnesota, with 115 points out of 140 points, ranked first, while Connecticut ranked thirtieth with an absolute 0.

TABLE M

EXTRA-LEGAL EXECUTIVE PARTICIPATION SCORE

<u>STATE</u>	<u>RANK ORDER</u>	<u>SCORE</u>
Minnesota	1	115
Illinois	2	100
Delaware	3	95
Nevada	4	80
Michigan	5	75
Alabama	6	75
Kansas	7	70
Wisconsin	8	65
South Dakota	9	65
Vermont	10	65
Montana	11	60
Washington	12	55
Arkansas	13	55
Iowa	14	55
Georgia	15	55
New Mexico	16	55
Rhode Island	17	50
Massachusetts	18	50
Pennsylvania	19	50
Missouri	20	45
North Dakota	21	45
Texas	22	45
Colorado	23	40
South Carolina	24	30
Idaho	25	25
Oklahoma	26	20
California	27	15
Indiana	28	15
Ohio	29	10
Connecticut	30	0
Virginia	31	no reply

1. Party Affiliation and Executive Participation

Before turning to a comparison of executive participation and legislative participation, it would be useful to compare the party affiliations of the governor and the lieutenant governor. As the chart indicates, there are only two lieutenant governors that are of a different party than the governor. The lieutenant governors of these states ranked last and second from last in legislative participation. It is interesting to note that while the governor and the lieutenant governor within the first five ranked states are of the same party, both houses of two state legislatures within the same group are controlled by a different party than that of the governor and lieutenant governor. Perhaps the point could be made that in those states where the governor and lieutenant governor of the same party are allied against a legislature controlled by a different party, there tends to be a greater degree of cooperation between the governor and lieutenant governor than there would normally be if both branches were controlled by the same party.

TABLE N

PARTY AFFILIATION AND EXECUTIVE PARTICIPATION

<u>STATE</u>	<u>RANK ORDER</u>	<u>GOVERNOR</u>	<u>LT. GOV.</u>	<u>SENATE</u>	<u>HOUSE</u>
Minnesota	1	DFL	DFL	Non-partisan	
Illinois	2	R	R	R	R
Delaware	3	R	R	D	D
Nevada	4	R	R	R	R
Michigan	5	D	D	R	R
Alabama	6	D	D	D	D
Kansas	7	R	R	R	R
Wisconsin	8	R	R	R	R
South Dakota	9	R	R	R	R
Vermont	10	R	R	R	R
Montana	11	R	R	R	D
Washington	12	R	R	R	D
Arkansas	13	D	D	D	D
Iowa	14	R	R	R	R
Georgia	15	D	D	D	D
New Mexico	16	D	D	D	D
Rhode Island	17	D	D	tie	D
Massachusetts	18	R	R	R	D
Pennsylvania	19	D	D	R	D
Missouri	20	D	D	D	D
North Dakota	21	R	R	R	R
Texas	22	D	D	D	D
Colorado	23	D	D	R	R
South Carolina	24	D	D	D	D
Idaho	25	R	R	R	R
Oklahoma	26	D	D	D	D
California	27	R	R	R	R
Indiana	28	R	R	R	R
Ohio	29	D	R	R	R
Connecticut	30	D	R	D	D
Virginia(no reply)	31	D	D	D	D

2. Relationship between Lieutenant Governor's Legislative Participation and Executive Participation

The chart below was constructed to determine what relationship existed, if any, between executive participation and legislative participation. A glance at the executive participation rank order column will show that only one of the first ten ranked states in legislative participation are included in the top ten ranked states in the executive participation column. Moreover, seven out of the top ten ranked states in the legislative participation are among the low ten ranked states in executive participation. Finally, three out of the lowest ten ranked states in legislative participation ranked among the first five in executive participation. Colorado, the first ranked state in legislative participation, ranked sixteenth in executive participation. Nevada was the only state that maintained a high degree of participation on both levels, ranking third in legislative participation and fourth in executive participation. It would appear then, on the basis of these findings, that there exists an inverse ratio between legislative participation and executive participation. The lieutenant governor that ranks high in legislative participation tends to rank low in executive participation and to a lesser degree, vice versa. The chart reveals that informal executive participation, on the part of the lieutenant governor,

TABLE O

RELATIONSHIP BETWEEN LEGISLATIVE AND EXECUTIVE PARTICIPATION

<u>STATE</u>	<u>LEG. PART.</u> <u>RANK ORDER</u>	<u>LEG. PART.</u> <u>SCORE</u>	<u>EXEC. PART.</u> <u>RANK ORDER</u>	<u>EXEC. PART.</u> <u>SCORE</u>
Colorado	1	103.8	23	40
Texas	2	87.3	22	45
Nevada	3	84.9	4	80
Virginia	4	83.7	31	no reply
North Dakota	5	83.1	21	45
Idaho	6	70.5	25	25
Connecticut	7	68.7	30	0
Iowa	8	67.8	14	55
Rhode Island	9	67.5	17	50
Indiana	10	66.9	28	15
New Mexico	11	66.6	16	55
South Dakota	12	66.0	9	65
Kansas	13	64.8	7	70
South Carolina	14	63.9	24	30
Alabama	15	60.0	6	75
Minnesota	16	60.0	1	115
Vermont	17	56.2	10	65
Wisconsin	18	49.8	8	65
Georgia	19	46.0	15	55
California	20	41.1	27	15
Washington	21	40.6	12	55
Delaware	22	37.5	3	95
Montana	23	34.5	11	60
Pennsylvania	24	32.7	19	50
Arkansas	25	28.5	13	55
Oklahoma	26	28.2	26	20
Missouri	27	27.0	20	45
Illinois	28	25.5	2	100
Ohio	29	24.9	29	10
Michigan	30	13.3	5	75
Massachusetts	31	10.5	18	50

does not tend to increase the degree of the lieutenant governor's legislative influence.

A review of the findings thus far indicates that the lieutenant governor has little influence on the legislative process. However, legislative influence encompasses a broader area than the confines of the legislature. While the study shows that the lieutenant governor's influence, as perceived by legislators, within the legislative process is relatively slight - this does not mean the lieutenant governor does not have influence in formulating legislation and developing support for a legislative program. For this reason, it is necessary to go outside of the legislative process to examine ways that a lieutenant governor can exert influence on the legislative process from without.

Included in the governor's questionnaire were three questions dealing with the lieutenant governor's role in lending legislative assistance to the governor. While question five deals with the extent to which the lieutenant governor has been asked by the governor to enlist support for the governor's program within the legislature, questions 6 and 7 relate to legislative participation outside of the legislature.

The chart below presents the total number of responses for each question:

<u>QUESTION NO.*</u>	<u>NEVER</u>	<u>SELDOM</u>	<u>OCCASIONALLY</u>	<u>OFTEN</u>	<u>ALWAYS</u>
5	7	5	12	4	2
6	10	7	8	4	1
7	12	12	3	3	0
Total	29	24	23	11	3

*Question 5 - To what extent has the lieutenant governor been asked by the governor to line up support for his program in the legislature?

*Question 6 - How often has the lieutenant governor been asked by the executive office to win the support of key individuals or interest groups outside of government for one of the governor's legislative measures?

*Question 7 - How often has the lieutenant governor received assignments from the governor to develop a legislative program?

The chart discloses that a total of 23 governors had occasionally asked their lieutenant governor to lend assistance to the governor's legislative program. In response to questions 6 and 7, which deal with legislative assistance outside the legislature, the chart reveals that seven governors asked their lieutenant governors for assistance.

To illustrate the various ways a lieutenant governor can exert influence on the legislative process outside of the legislative arena, an examination of the experience of Michigan's lieutenant governor in this respect will serve as a case in point.

In June, 1955, Michigan's Governor Williams delegated to the members of his party on the Administrative Board, the responsibility of developing the administration's legislative program for 1956.¹ The lieutenant governor was assigned the task of developing policy and programs in the areas of highways, labor, civil defense, aeronautics, military and veterans affairs. The lieutenant governor held a series of meetings with the various executive department heads within the assigned areas and representatives of related interest groups. These meetings produced ideas that were later to be drafted into bill form. Following these meetings the governor would then invite the lieutenant governor and the department heads of the agencies assigned to him into his office for a progress report. At this time, the lieutenant governor submitted to the governor a written report outlining a tentative legislative program for each department. Included in the report were recommendations relative to appropriation requests by the department heads.

The governor and his legislative assistant exercised the final authority to accept or reject legislative suggestions from members of the Administrative Board.

¹See the Michigan Manual, 1955-56, p. 242.

Members of the Administrative Board include the Governor (chairman), Lieutenant Governor, Secretary of State, Attorney General, Treasurer, Auditor General, Superintendent of Public Instruction and the Highway Commissioner. All but the last two are of the same party affiliation as the Governor.

During the legislative session, representatives of interest groups and department heads would consult with the lieutenant governor concerning the progress of various legislative measures. The lieutenant governor served as a liaison between these groups and the governor's office. And he kept the governor's office informed of important developments relating to legislation in the areas assigned him.

The legislative participation score sheet in Chapter III shows that twenty-nine lieutenant governors out of thirty-one ranked higher in legislative participation than did the lieutenant governor of Michigan. However, the above description of the legislative assistance given to the governor by the lieutenant governor indicates that a lieutenant governor can possess legislative influence of a great degree outside the confines of the legislature.

In addition to formulating legislation and gaining the support of interest groups for a particular legislative program, there are a variety of other means by which a lieutenant governor can participate to influence legislation.

Coleman Ransone, in his study of the southern governors, states that:

In situations where the governor's control of the legislature has been seriously challenged, the chief executive may resort to appeals to the people to build support for his proposals or to defeat measures which he deems unwise.¹

¹Coleman B. Ransone, Jr., The Office of Governor in the South. Bureau of Public Administration, University of Alabama, 1951, p. 96.

While appeals to the people are not an adequate substitute for a well-organized bloc in the legislature, they can be used effectively by a governor who is a gifted stump speaker to influence the passage or defeat of individual measures.¹

Governor Williams, facing a Republican majority in both houses of the Michigan legislature during his fourth term in office, has relied heavily on "appeals to the people" to influence the legislature in relation to his legislative program. However, this technique is also employed by the lieutenant governor as well as other members of the administrative team. For example, when the Michigan legislature recessed in April, 1956 prior to final adjournment in May, there were thirteen legislative measures tied up in conference committees. During the latter part of May, Lieutenant Governor Hart embarked on a 1500 mile, one-week tour of Michigan's upper peninsula. In a release to the press before departing, Mr. Hart said:

My purpose will be to describe the performance of the legislature as I see it. This includes failure of the Republican leadership to enact or even permit debate on many major proposals made by Governor Williams and the Democratic party.²

During the trip, Hart visited every major city in the upper peninsula and met with workers, farmers and businessmen. In addition, he appeared on television and made eight broadcasts. Excerpts of his major talks were distributed

¹Ibid., p. 98.

²Excerpt from press release issued April 27, 1956.

to every daily paper in the upper peninsula and to the various weekly papers in the area in which he was speaking. A review of the lieutenant governor's remarks in the press during the trip will indicate that the dominant theme was criticism of the legislature for not enacting into law a major portion of the governor's legislative program.

In addition to political stumping, the lieutenant governor utilizes the press release to influence the passage of a particular legislative measure that the governor has recommended.

During the special session of 1955 called by Governor Williams to eliminate the waiting list for mentally retarded children, Hart used a monthly column written for a trade journal to put across the Governor's position on mental health. Copies of this column were distributed to every major labor weekly in Michigan for publication.

3. Summary

A comparison of the lieutenant governor's legislative participation with that of his executive participation was made in Chapter IV. The findings indicate that there is an inverse ratio between the degree of the lieutenant governor's executive participation and the extent of his legislative participation. Lieutenant governors which were ranked high by the governor were ranked low by the legislators and vice

versa. This data does not support the third hypothesis set forth in this study.

It is also pointed out that the findings in Chapter III indicated that the lieutenant governor according to the perceptions of legislators, exerts but little influence within the legislative process. It is possible, however, that the lieutenant governor, working in close cooperation with the governor, can influence the formulation and the degree of support for the governor's legislative program from outside the legislature.

Indirect legislative participation falls into two categories: formulation of legislation and gaining the support of public and private interest groups for a particular legislative program. Quite naturally, the latter type of legislative activity could conceivably be perceived by legislators as political activity instead of indirect legislative participation. Nevertheless, it is possible that a lieutenant governor could be assigned a relatively low score in legislative participation by party leaders in the legislature and still exert considerable influence on the legislative process from without.

CHAPTER V

SUMMARY

This thesis has been concerned with the role of the lieutenant governor in the legislative process. It represents, to the writer's knowledge, the first attempt to measure the legislative influence of the lieutenant governor.

This research project centered on two problems. The first problem was to determine to what extent the lieutenant governor participates informally in the legislative process. The second problem was to discover what factors, if any, could help explain the extent to which the lieutenant governor informally participates in the legislature.

Chapter III pointed out that nearly 60 per cent of the total responses recorded for the legislative participation scale fell in the never category which indicates that the legislators viewed the lieutenant governor as a non-participant in the legislative process.

Chapter III also disclosed that there are considerable differences between the lieutenant governors and the degree to which they participate. The next step was to consider the eight social, political and biographical variables which might help explain the varying degrees of participation.

Chapter IV centered on determining the relationship between the lieutenant governor's informal executive participation and his legislative participation. Brief mention was

made in Chapter IV of the various ways a lieutenant governor could conceivably exert influence on the legislative process outside the confines of the legislature.

This thesis focused on three major hypotheses:

(1) The lieutenant governor's extra-legal influence within the legislative process will be greater if the legislature is controlled by his political party.

(2) The lieutenant governor's extra-legal legislative influence will vary in relation to his party status outside the legislature.

(3) The lieutenant governor's extra-legal legislative influence will vary in relation to the degree he participates in informal executive functions.

Underlying these hypotheses is the major assumption, as stated in Chapter I, that the lieutenant governor's legislative influence will vary in relation to certain social, biographical and political variables. The following eight variables were subjected to a comparative analysis with the lieutenant governor's legislative participation score: age, occupation, education, dominant group support, public office experience, party status and political composition of the legislature. Out of these eight variables, it was discovered that only one variable was related to legislative participation.

When comparing the public office experience of the lieutenant governor to legislative participation, it was discovered that eight of the top ten ranked lieutenant governors in legislative participation had previous legislative experience, while only four of the lowest ten ranked lieutenant governors had previous legislative experience.

The negative findings on the social and biographical variables that were anticipated to be important, are almost as important as the positive findings. No relationship was found between participation and age, occupation, education or dominant group support.

The above hypotheses assumed that political affiliation and the party status of the lieutenant governor would be important factors connected with the lieutenant governor's participation in the legislature.

Another hypothesis, that participation would be greater if the legislature was controlled by the same political party as the lieutenant governor, was tested and found lacking in support by the evidence collected.

The second hypothesis, that participation would vary in relation to the lieutenant governor's party status outside the legislature, was tested and found not to be supported by available evidence.

The third hypothesis, that participation would be related to the degree that the lieutenant governor participates informally in the executive process, was tested by a questionnaire sent to thirty-six governors and, on the basis of the findings, not supported. However, it was discovered that in seven states the governors requested the lieutenant governor's assistance to influence the legislature. Chapter IV pointed out, in relation to the third hypothesis, that there was an inverse ratio between legislative participation and executive participation. The lieutenant governors that were ranked high by the governors in terms of informal executive participation, were ranked low by the legislators on legislative participation. Various methods that the lieutenant governors could use to influence the legislative process outside of the legislature were discussed in Chapter IV and it was pointed out that it was possible for a lieutenant governor to be ranked low in legislative influence by legislators and still possess considerable legislative influence as is the case with Michigan's lieutenant governor.

Examination of the variables tested and their relationship to participation shows that only one stands out as a crucial variable affecting the legislative decision-making process. Of all the eight tested, previous legislative experience seems to be the most important. One variable not

tested was personality which the legislators indicated was an important factor affecting the degree of the lieutenant governor's legislative participation.

1. Proposals for Further Research

The instrument used in this investigation was developed with the assistance of Dr. Hakman and Walter DeVries, who constructed a similar device to measure the participation of city clerks in municipal decision-making. With proper adjustments, similar scales could be devised to measure the legislative influence of the governor or the influence of individual legislators.

As mentioned previously, this study represents, to the writer's knowledge, the first attempt to measure the extra-legal legislative influence of the lieutenant governor. While the findings reveal little of significance, it is hoped that this project will add something to the scant body of existing knowledge about the role of lieutenant governor in the United States.

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APPENDIX

State of _ _ _ _ _

Lieutenant Governor _ _ _ _ _

Lt. Governor's home address _ _ _ _ _

_ _ _ _ _

SENATE

POSITION

NAME

Speaker Pro Tempe _ _ _ _ _

Majority Leader _ _ _ _ _

Majority Floor Leader _ _ _ _ _

Minority Leader _ _ _ _ _

Minority Floor Leader _ _ _ _ _

Please fill in positions and names of additional Senate leaders below:

_ _ _ _ _

_ _ _ _ _

HOUSE

POSITION

NAME

Speaker of the House _ _ _ _ _

Speaker Pro Tempe _ _ _ _ _

Majority Leader _ _ _ _ _

Minority Leader _ _ _ _ _

Please fill in positions and names of additional house leaders below:

_ _ _ _ _

_ _ _ _ _

If you have any lists or booklets which contain the names of committees chairmen in both houses, it would be extremely helpful to our study.

Party Affiliation D _____ R _____

PARTICIPATION-EVALUATION SCALE OF LIEUTENANT GOVERNOR IN THE
LEGISLATIVE PROCESS

4. Circle that choice which most clearly indicates the extent to which you have sought information from the Lieutenant Governor relative to:

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
2. Parliamentary procedure and legislative rules?

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
3. The Governor's position on a particular legislative measure?

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
4. Background and qualifications of proposed executive appointee?

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
5. The legislative position of a pressure group?

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
6. Circle that choice which most clearly indicates the extent to which you have sought Advice from the Lieutenant Governor relative to?

Never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
7. How to vote on a bill?

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
8. How to handle a bill considered by your committee?

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
9. The text of a press release?

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
10. The political effects of legislative measures?

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
- C. Circle that choice which most clearly indicates the extent to which you have sought the Lieutenant Governor's influence to:

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
11. Pass or defeat a bill in committee, or on the floor, that you were interested in?

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
12. To secure an assignment on or affect the membership of a legislative committee?

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
13. To secure or weaken the support of a pressure group's position in relation to a legislative measure?

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
14. To make a parliamentary ruling favorable to your legislative interest?

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------
15. Confirm, disapprove, or alter the selection of an executive appointee?

never	seldom	occasionally	often	very often
-------	--------	--------------	-------	------------

M I C H I G A N S T A T E U N I V E R S I T Y
of Agriculture and Applied Science - East Lansing

Department of Political Science

November 4, 1955

The writer, with the cooperation of the Department of Political Science at Michigan State University, is conducting a study to determine the legislative influence of the Lieutenant Governor.

This entire project is based upon the enclosed questionnaire which will be sent to a few party leaders in several states. The main purpose is to record the perceptions of legislative leaders on the Lieutenant Governor's participation in the legislative process.

Conscious of the many demands upon your time, we would appreciate it very much if you would take the five minutes necessary to fill out the enclosed questionnaire and return it at your earliest convenience.

The results will be written up as statistics and no individual names or responses will be quoted.

Respectfully,

Jerry Coomes
Political Science Department
Michigan State University
1002-A Birch Road
East Lansing, Michigan

P.S. After completing questionnaire, would you please list, on the back, other factors which help to describe the Lieutenant Governor's influence, or lack of it, in the Legislature.

APPENDIX D

(Follow-up letter to Appendix C)

M I C H I G A N S T A T E U N I V E R S I T Y
of Agriculture and Applied Science - East Lansing

December 9, 1955.

This letter serves a double purpose. First, may I thank you again for participating in the Lt. Governor's Legislative influence project. Secondly I would like to give you a brief report on its progress.

More than 200 of the 300 Governors, Lt. Governors and Legislators involved in the study have returned their Questionnaires. However, their efforts and mine will have been in vain unless the others come in before the Holidays.

Therefore, if you could possibly find several free minutes today or tomorrow would you please fill out the enclosed Questionnaire.

May I again remind you that no individual names or responses will be used in the study and all information will be written up statistically.

Again, many thanks for your kindness and may you enjoy a pleasant Holiday Season.

Sincerely,

Jerry Coomes,
Department of Political Science,
1002A Birch,
East Lansing, Michigan

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Legislative Reference Service

THE CREATION OF THE OFFICE OF LIEUTENANT GOVERNOR:
MOTIVES UNDERLYING ITS REJECTION BY ELEVEN STATES1. Arizona

A convention was held at Phoenix, Arizona, for the purpose of drawing up a state constitution for the Arizona Territory from October 10 - December 9, 1910. The Arizona constitution was ratified by an election held February 9, 1911.

No account of the debates has yet been published, and no information of a substantive nature concerning the office of lieutenant governor appears in the Minutes of the Convention.^{1/}

2. Florida

The present Florida constitution as amended, was adopted in 1885, and went into effect in 1887.^{2/}

The office of lieutenant governor was first created in Florida under the constitution of 1865. No provision had been made for this office by the constitution of 1861. The office of lieutenant governor was retained by the constitution of 1868. ^{3/}

^{1/} Minutes of the Constitutional Convention of the Territory of Arizona. Phoenix, Arizona, Phoenix Printing Company, 1911.

^{2/} Doyle, Wilson K., Angus M. Laird, and S. Sherman Weiss. The Government and Administration of Florida. New York, Thomas Y. Crowell Company, 1954. p.p.20-21.

^{3/} Ibid., pp.18-19.

- 2 -

The Constitutional Convention of 1835 abolished the office of lieutenant governor, vesting the executive powers in "...a Chief magistrate, who shall be styled the Governor of Florida..."^{4/}

There is no record in the published proceedings of the Convention concerning the motives underlying the decision to abolish the office of lieutenant governor.^{5/} It is of record, however, that the Committee on the Executive and Administrative Department advised the Convention against acceptance of a proposal making provision for the office of lieutenant governor.^{6/} This recommendation was adopted by the Convention.^{7/}

3. Maine

The Maine constitution was adopted by the State convention which met at Portland on October 29, 1819, and was ratified on December 6, 1819.

The Constitutional Convention as a whole did not debate the question of establishing the office of lieutenant governor, and Section 1, Article V, of the proposed constitution which provides that: "The supreme executive power of this state shall be vested in a governor"^{8/} passed without debate.^{9/}

^{4/} Article IV, Executive Department, Section 1, State Constitution of Florida.

^{5/} Journal of the Proceedings of the Constitutional Convention of the State of Florida. Tallahassee, Florida, N.M. Bowen, State Printer, 1835.

^{6/} Ibid., p. 114.

^{7/} Ibid., p. 121.

^{8/} Constitution of the State of Maine. Augusta, Maine, Kennebec Journal, 1902. p. 47.

^{9/} The Debates, Resolutions, and other Proceedings of the Convention of Delegates, Assembled at Portland on the 11th, and Continued until the 20th day of October, 1819, for the purpose of forming a constitution for the State of Maine" Jeremiah Perley. Portland, Maine, A. Shirley, 1820. p. 168.

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There was apparently no real sentiment in favor of the office of lieutenant governor as a part of the executive, as opposed to support evidenced for a governor's council, which was adopted. It was stated in debate: "The Lieutenant Governor is given up on all hands, but I hope we shall preserve the council..."^{10/}

The Proceedings give no indication as to the reasons underlying the lack of support for the creation of a lieutenant governor.

4. Maryland

The Maryland constitutional convention met at Annapolis from May 8 - August 17, 1867. The constitution was ratified September 18, 1867.

On a motion the convention directed the Committee on the Executive Department to "inquire into the report upon the expediency of abolishing the office of Lieutenant Governor..."^{11/} In its report to the Convention, however, this Committee made no recommendation providing for the office of lieutenant governor.^{12/} No debates upon this question are of record in the Debates.^{13/}

Under the Maryland constitution, the executive power is vested in the governor, as follows: "Article II. Executive Department. Section 1: The executive power of the state will be vested in a Governor..."^{14/}

5. New Hampshire

The New Hampshire constitution, later amended, was adopted in 1783.

^{10/} Ibid., p. 170.

^{11/} Debates of the Maryland Constitutional Convention of 1867. Baltimore, Twentieth Century Press, 1923. pp.75-76.

^{12/} Ibid., pp.136-141.

^{13/} Ibid., pp.176-179.

^{14/} Constitution of the State of Maryland. Annapolis, Maryland, The Advertiser-Republican, 1915. p.14.

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Owing to fear of a strong executive, derived in part from experiences during the Colonial period, public opinion in New Hampshire has favored a state administration supervised by a governor and council. There has been no lieutenant governor of New Hampshire since the Revolution. 15/

There is no record that the question of the office of lieutenant governor became a subject of debate during the Constitutional Convention of 1941. 16/

6. New Jersey

The present constitution of New Jersey was drawn up by the state Convention of 1947.

There was considerable debate regarding the expediency of creating the office of Lieutenant-Governor. The following excerpts illustrate the consensus of opinion expressed before the Committee on the Executive, Militia, and Civil Officers.

The Chairman of the Committee, Senator David Van Alstyne:

...I would like to make a few observations about this subject of a Lieutenant Governor. The only argument I have heard in favor of it is that if the Governor uses the Lieutenant Governor it might save him some time. But I think it is a very bad set-up that in the United States Government, and in some states, the people elect a Vice-President or a lieutenant Governor who becomes the presiding officer of the Senate. I cannot be convinced that the office of presiding officer cannot better be filled with a man elected from their own membership than with one elected for them by the people. Nor can I be convinced that that same Senate cannot appoint more intelligent committees which will function better than those appointed by a man who comes from outside and who may never have served in the Senate or in the Legislature at all. I think that is a very grave weakness in our Federal Constitution. If the feeling is that we should have a Lieutenant-Governor as an assistant to the Governor, I would certainly hope that he would not be made the President of the Senate... 17/

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- 15/ Kalijarvi, Thorsten V., and William C. Chamberlin. The Government of New Hampshire. Durham, N.H., The University of N.H., 1939, p.36.
16/ Journal of the Convention to Revise the Constitution. Manchester, N.H., Granite State Press, 1942.
17/ State of New Jersey Constitutional Convention of 1947. Bayonne, New Jersey, Jersey Printing Company, 1953. v.V. pp.14-15.

- 5 -

Former Governor Morgan F. Larson:

Your arguments are well taken, Senator. You might have a lieutenant governor not at all in harmony with the majority of the Senate, and he would get in there and appoint all the committees. That is one of the objections to having the Lieutenant-Governor in the Senate, and it has been objected to strenuously in other states...18/

Governor Alfred E. Driscoll:

...I have given some consideration to the possibility of our incorporating in the Constitution provision for a Lieutenant Governor. There are arguments in favor of our having a Lieutenant-Governor. The duties that fall upon the Governor, even today under our peculiar Constitution, are complex and burdensome. A Lieutenant Governor devoting full time to the task would be extremely helpful. On the other hand the present arrangement has worked out reasonably satisfactorily, and I personally would be content if this convention chose to follow precedent in that respect...19/

....Mr. Farley:

Governor, if this Committee determined that a Lieutenant Governor would be practical, what would be the duties, in your viewpoint, of a Lieutenant-Governor?

Governor Driscoll:

First and Foremost, to serve in the place and stead of the Governor upon his death, or resignation, or inability to serve as Governor; and to assist the Governor in the management of the most important business in the State of New Jersey today...20/

Mr. J. Spencer Smith:

...There has been quite a little discussion, and it has revolved more or less around this thought: If we do have a Lieutenant-Governor, what would his duties be. If he doesn't preside in the Senate, as he does in most states, and if he should happen to be of the party opposite to the governor, would the Governor want to delegate any duties to him? If he were in the same party as the Governor, and they were in fellowship together, they might get along very well.

Then, following that line of reasoning, in order that there might not be any question of rivalry, -that is, the Lieutenant-Governor getting this assignment and then becoming a candidate against the Governor, if he had the power of succession, do you think that would be overcome in the Constitution, if we do agree

18/ Loc. Cit.
19/ Ibid., p.32.
20/ Ibid., p.34.

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to set up a Lieutenant-Governor, were we to provide that a Lieutenant Governor could not become Governor except after having served as Lieutenant Governor for, say, eight years, or something of that sort? You would eliminate the human equation, and the Governor could then feel free to assign him any duties he wanted to because at the end of his term he would be through.

Former Governor Harold G. Hoffman:

I don't know that the restriction should be made a constitutional mandate. Personally I have never been able to get myself very worked up about the importance of a Lieutenant Governor. Unless the Lieutenant Governor should also become the President of the Senate - and then, of course, he would have some powers - I think you would find that if you provided for a Lieutenant Governor, he would wind up as almost solely a social accessory to the Executive Office...21/

Former Governor A. Harry Moore:

Well, of course, there is much to be said for and against a Lieutenant-Governor. Some may say it is only an extra position. On the other hand, he could be of value to the Governor in many ways. He could be the presiding officer of the Senate. The Lieutenant Governor, of course, would be elected at the same time as the Governor. He would represent all the people, whereas the President of the Senate only represents one county and moves along usually by seniority, without regard, perhaps, to his ability. As the representative of one county he probably would not be in the same position as a man who had been elected by all of the people of the state. I don't think it is a too important question...22/

The Committee on the Executive, Militia, and Civil Officers voted on June 26, 1947, against the creation of the office of lieutenant governor. The debate as recorded was as follows:

"Feller moved for a Lieutenant Governor, elected by the people, but not to preside over the Senate. Motion seconded.

"Farley opposed the motion; he prefers present method.

"Feller: 36 states now have lieutenant governors. New Jersey is the most populous of the remaining 12.

"Miller: Read section on the lieutenant governor from the New York Constitution. In New York the lieutenant-governor has succeeded six times, so one seems to be needed.

21/ Ibid., p. 54.

22/ Ibid., pp.70-71.

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"Smith: Opposed to lieutenant-governor; feels people would disregard him in voting, and he would be picked for political reasons only.

"Eggers: Cannot see that the lieutenant governor would have any useful function.

"Motion lost, 6 to 3..." 23/

7. Oregon

The Oregon Constitutional Convention met at Salem, August 17, 1857, and its deliberations were concluded September 16, 1857. The Constitution was ratified by a special election held November 9, 1857. 24/

There is no record in the debates pertaining to consideration of the office of lieutenant governor. It is likely, however, as in the case of most states which have dispensed with this office, that it was considered an unwarranted expense. A proposal to combine the offices of governor and state treasurer was put forward on grounds of economy, which, however, was defeated largely on the basis of arguments that there should be no combinations of offices differing from those in other states. 25/

Article V, Executive Department, Section No. 1 provides: "The chief executive power of the state, shall be vested in a Governor..." 26/

8. Tennessee

The state constitution was adopted by the Convention held at Nashville on February 23, 1870.

At that time a resolution was offered providing for the establishment of the office of lieutenant governor, as follows:

"Resolved, That there be an election for Lt. Governor on the same day (Governor's election) who shall possess the same qualifications as the Governor: The Lt. Governor shall be ex

23/ Ibid., p. 139.

24/ The Oregon Constitution and Proceedings and Debates of the Constitutional Convention of 1857. Salem, Oregon, State Printing Department, 1926. p. 27.

25/ Ibid., pp. 227-229.

- 8 -

officio President of the Senate, but shall have no vote except in a tie vote of Senators. In event of death, resignation, removal from office, or absence from the state, the Lt. Governor shall discharge the duties of the Governor." 27/

This resolution, however, was not adopted by the Convention. The Journal does not include any account of the arguments presented during the consideration of the proposed amendment.

In Tennessee the executive power continued to be exercised by the governor as provided in Section 1 of Article III which was recommended by the convention committee and adopted without amendment: "Section I. The supreme executive power of this state shall be vested in a governor." 23/

9. Utah

The Utah Constitutional Convention met on March 4, 1895. The proposed state Constitution was ratified by the electorate on November 5, 1895. 29/

The question of including the Lieutenant governor among the state executive officers was raised at the Utah constitutional convention on April 3, 1895, when an amendment to this effect was offered for consideration by the Committee of the Whole as an amendment to Section 1.

The following are excerpts taken from the ensuing debate upon the question of establishing the office of lieutenant governor:

"Mr. Kearns: Mr. President, I hope that the motion will not prevail. It is unnecessary to create any extra offices. We find thirteen states in the Union that are all of more consequence and with more inhabitants and wealthier states than this that get along without a lieutenant governor.

27/ Journal of the Proceedings of the Convention of Delegates. Nashville, Tennessee, Jones, Purvis, and Company, 1870. p. 34.

28/ Ibid., p. 423.

29/ State and Local Government in Utah. Salt Lake City, Utah, Utah Foundation, 1954. p. 19.

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Again I find that the secretary of state is an office that contains a good deal more responsibility. We are apt to get a better representative in the office for secretary of state than we are for lieutenant governor, and I do not see why at this time we should create that office. I think it is unnecessary. I hope this motion will not prevail.

"Mr. Kimball: (Weber). Mr. Chairman, I am of the opinion that my friend's argument is not good, that because thirteen states do not have a good thing, that we, the last state, should not have it. I certainly think that a lieutenant governor is a necessary party in the executive department, and I think that for several reasons. The first reason is that under all of the constitutions of all the states a lieutenant governor is the presiding officer of the senate...He is an indifferent officer, he is a man there without a vote. He presides over that senate impartially. I say that is a good reason for having a lieutenant governor. Another reason for it is that when the people come to vote for governor or lieutenant governor or secretary of state they know who they are choosing to be their governors and they express their choice, that the man that is named as lieutenant governor in the absence of the governor or in the case of his death or disability. You take the secretary of state. He is elected to perform other duties entirely, and I say should not change the form of government so as to diverge from the constitutions of almost all of the states...

Mr. Varian: Mr. Chairman, I simply want to explain the matter as it appeared to the committee. We felt that whichever way this was reported it would not meet with the approbation of the entire convention. That is, if it reported a lieutenant governor, perhaps we would find a feeling or disposition to strike it out; but these were the reasons that moved the committee to eliminate from the government the lieutenant governor: First, the object, of course, was to economize as much as could be done consistently with public good, and then it was considered that the office was hardly worth the keeping. We could not afford to pay the State officer. We cannot afford to pay a lieutenant governor. At least the committee so considered it.

It is a high office, and, as suggested, might perhaps assume a still higher function in case of the death or disability of the governor. I have noticed in the experience that I have had in this matter that the result was about in this wise: The State provides for the office of lieutenant governor. When he is elected he knows that he will receive no salary. He knows that there is more or less dignity attached to it. Some bright man runs for the office and the moment he gets there he looks about him and sees that all the other officers are getting pretty good salaries and well taken care of by the state. Every meeting of the legislature I have to go there and

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give my time for the state at a small per diem. I do not think it is right. His friends begin to think so too. The result is they commence to hatch up some legislative scheme to provide emoluments for him...

"Mr. Ivins: Mr. Chairman, the gentleman from Weber (Mr. Kimball), who moves as an amendment to this article that this additional office be created, gives as his reasons, first, that the lieutenant governor is president of the senate, and second, that when the people elect a lieutenant governor, they know that the man they choose will, in case of the disability of the governor, act in his stead, and he advanced no other reasons. Now, gentlemen, isn't it a fact that there will be among the twenty-five men or more who may be chosen to the senate of this state some one man that will be just as amply capable of acting as president of the senate as the lieutenant governor might be? Is it not also a fact that the people, understanding when they choose a secretary of state that he will be governor of this territory in case of the disability of the chief executive, would be just as likely to choose an efficient governor direct? In the first place, this section as it stands, has in view economy. The committee did not think that a multiplicity of offices should be created where they could be consistently dispensed with.

In looking over the constitutions of other states, we find that the lieutenant governor as a rule, is a salaried officer. If the plan that has been suggested shall be carried out the officers of this State will be salaried officers, and in that event a lieutenant governor would receive a salary, which in many of the state constitutions I have examined is made about half that of the chief executive. Under those conditions it does not seem to me that it is unnecessary. While it is true that in a majority of the states the office of lieutenant governor is created, it is also true that in some of the states which have been more recently admitted to the Union the secretary of state performs the duties of governor during his disability, and it was with this in view that the section was passed in the committee as it is...

The amendment providing for the creation of the office of lieutenant governor was rejected. 30/

30/ Official Report of the Proceedings and Debates of the Convention. Salt Lake City, Utah, Star Printing Company, 1893. pp. 653-656. Vol. I.

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The present West Virginia constitution was adopted by the state Convention which met at Charleston in 1872.

Among the changes in the Constitutional system made by this Convention was the abolition of the office of Lieutenant-Governor, which had existed under the first West Virginia Constitution of 1863. At this time it was provided that, in the event of a vacancy the president of the senate and the speaker of the House should, in turn, succeed to the governorship. "...Although amendments to the Constitution calling for the reinstatement of the office of lieutenant governor have since been submitted to the people on each occasion they have been emphatically turned down..." 31/

"...From time to time amendments to the Constitution have been proposed calling for the creation of this office, but always it has been rejected by the voters..." When such an amendment was submitted in 1930, the vote was 43,731 in favor, 172,703 against." 32/

"...The chief purpose of the office (of lieutenant governor) is to provide a successor to the governor in times of emergency, and the West Virginia electorate considers that such an emergency had been satisfactorily provided for without the creation of an additional office..." 33/

A resolution was offered to the Constitutional Convention of 1872 providing for the office of lieutenant governor: "Resolved, That the Committee on the Executive Department inquire into the expediency of

31/ Lambert, Oscar Doane, West Virginia and its Government. Boston, D.C. - Heath and Company, 1951. p. 149.

32/ Ibid., p. 244.

33/ Ibid., p. 245.

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providing in the Constitution for the election of a Lieutenant Governor who shall preside over the Senate..." 34/

However, in the report of the Committee of the Whole on the report of the Committee on the Executive Department, the provisions in the Constitution of 1863 relating to the office of Lieutenant Governor were deleted. These comprised articles 18, 19, and part of article 20. 35/

The Journal does not include the substance of the Constitutional debates.

The Wyoming Constitutional Convention met at Cheyenne, September 2-30, 1899. The Constitution was ratified by the electorate on November 5, 1899. 36/

The question of establishing the office of lieutenant governor did not arise during the debate by the Convention as a whole upon the executive branch of government, and there is no record that any proposal recommending a lieutenant governor was ever put forward for its consideration. Section 1, Article IV, of the proposed draft providing that "The executive power shall be vested in a governor..." was adopted as recommended by the committee on the executive. 37/

34/ Journal of the Constitutional Convention. Charleston, Henry S. Walker, 1872. p. 34.

35/ Report of the Committee of the Whole, Ibid., p. 7, also pp. 184-186.

36/ Herman H. Trachsel and Ralph M. Wade. The Government and Administration of Wyoming. New York, Thomas Y. Crowell Company. 1953. pp. 14-15.

37/ For the debates upon the executive department, see: Journal and Debates of the Constitutional Convention of the State of Wyoming. Cheyenne, Wyoming, The Daily Sun, Book and Job Printing, 1893. pp. 460-475.

(Doris W. Jones
Government Division
February 8, 1956)

APPENDIX F

January 17, 1956

Mr. Jerry Coomes
1002A. Birch
East Lansing, Michigan

Dear Mr. Coomes:

Reference is made to your January 10 inquiry regarding your MSU study on the Lieutenant Governor's office.

The position of Lieutenant Governor of the State of Tennessee was specifically created by Chapter 49 of the Public Acts of 1951.

Prior to that time there was cause for some confusion or legal question regarding the succession to the governorship under particular circumstances. The Constitution provides that in event of a vacancy the succession to the governorship would be first the Speaker of the Senate and then the Speaker of the House.

The timing of elections to the Tennessee Legislature are first, the primary, in August of the even-numbered years, and then the regular election in November. The Senate and the House, upon convening in January of the odd-numbered years, selects from among their number a Speaker. As an outgrowth of litigation dealing with matters not specifically oriented to the speakership, it had been held in the courts that a legislator who, by preference or circumstance, has not survived a race in the primary and was not elected in the November election was not a member of the Legislature during that interval between November and the convening of the new legislature in January. Therefore, should a vacancy occur between November and January there would be quite a vacuum if the respective Speakers had not sought and secured re-election, and even if they had, it probably would mean a quick special session of the Senate in order to organize itself to provide a Speaker.

In view of this situation Chapter 99 of the Public Acts of 1941 had provided the Secretary of State should succeed to the governorship if the office of Speaker of the Senate should be vacant.

It so happens that the Secretary of State in Tennessee is elected for a four-year term by the concurrent action of both Houses of the Legislature. Thus, as it has often been pointed out, the Secretary of State does not stand for election before the entire people of this state. Over the years there has been some skepticism of the probability of a non-elective person succeeding to the governorship.

Mr. Jerry Coomes

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January 17, 1956

This, then, is the background of the conscious action taken as Chapter 49 of the Public Acts of 1951 to create the office of Lieutenant Governor and the presumption is (and it is certainly not spelled out in that Act) that under Section 5, Article 7 of the Constitution, "Every officer shall hold his office until his successor is elected or appointed, and qualified".

I hope that this relatively non-legal resume will be helpful in your studies.

Yours very truly

(signed)

Harold V. Miller
Executive Director

HVM:bjm

[illegible]

<u>STATE</u>	<u>INFORMATION</u>	<u>STATE</u>	<u>ADVICE</u>	<u>STATE</u>	<u>INFLUENCE</u>
Nevada	40.0	Colorado	24.0	Colorado	33.0
Colorado	37.0	North Dakota	31.7	Texas	28.7
Texas	35.0	Connecticut	31.5	Virginia	26.2
Idaho	35.0	Virginia	23.7	Rhode Island	26.2
Virginia	33.7	Texas	23.6	Iowa	26.0
South Dakota	31.0	Nevada	22.5	Indiana	24.2
Minnesota	31.0	New Mexico	21.6	Alabama	24.0
North Dakota	28.3	Indiana	19.2	Kansas	23.3
New Mexico	28.3	Kansas	18.3	South Carolina	23.0
Rhode Island	27.5	Minnesota	18.0	Nevada	22.5
South Carolina	26.0	Delaware	16.6	Idaho	21.7
California	25.0	Wisconsin	16.2	Vermont	20.0
Pennsylvania	25.0	Alabama	16.2	South Dakota	20.0
Wisconsin	25.0	Vermont	15.0	North Dakota	20.0
Iowa	24.0	South Dakota	15.0	Georgia	17.0
Connecticut	24.0	Rhode Island	13.9	Delaware	16.6
Indiana	23.5	Idaho	13.2	New Mexico	16.6
Kansas	23.3	South Carolina	13.0	Washington	16.2
Vermont	21.2	Iowa	12.0	Connecticut	12.5
Montana	20.0	Montana	11.2	Minnesota	11.0
Alabama	20.0	Georgia	11.0	Oklahoma	10.5
Missouri	17.0	Washington	10.6	Arkansas	8.7
Delaware	16.6	California	10.0	Wisconsin	8.7
Georgia	16.0	Ohio	8.3	California	6.2
Illinois	14.4	Pennsylvania	7.5	Illinois	4.4
Washington	13.6	Arkansas	7.5	Massachusetts	4.3
Arkansas	12.5	Illinois	6.6	Ohio	4.1
Ohio	12.5	Missouri	6.0	Missouri	4.0
Oklahoma	11.2	Oklahoma	5.5	Montana	3.6
Michigan	8.3	Massachusetts	1.4	Michigan	3.3
Massachusetts	5.0	Michigan	1.3	Pennsylvania	0.0

APPENDIX I

<u>QUESTION NO.</u>	<u>NEVER</u>	<u>SELDOM</u>	<u>OCCASIONALLY</u>	<u>OFTEN</u>	<u>VERY OFTEN</u>
1	98	35	37	8	0
2	64	34	47	25	6
3	81	47	34	11	5
4	96	34	33	13	1
5	85	47	26	15	1
6	148	22	9	0	1
7	129	30	17	3	0
8	102	34	35	3	3
9	120	33	18	6	0
10	79	40	39	21	2
11	94	37	32	10	3
12	104	22	26	19	4
13	113	30	23	10	0
14	125	25	23	6	2
15	145	17	15	3	0
Total	1,583	487	414	153	28
% of Total Response	59.4%	18.4%	15.5%	5.7%	1%

APPENDIX J

MICHIGAN STATE UNIVERSITY

OF AGRICULTURE AND APPLIED SCIENCE • EAST LANSING

DEPARTMENT OF POLITICAL SCIENCE

The writer, with the cooperation of the Department of Political Science at Michigan State University, is conducting a study to determine the extent of the Lieutenant Governor's participation in the legislative process.

Your office, like that of its national counterpart, the Vice-Presidency, is drawing increased attention from political scientists. But actually, there is very little existing data concerned with your office; and, to my knowledge, this study is the first of its kind.

Questionnaires will be sent to party leaders in both houses to determine the extent of your legislative participation. But to make this data meaningful, we need your cooperation to supply a few biographical facts.

Conscious of the many demands upon your time, it would be very much appreciated if you could take the four minutes it requires to fill out the enclosed questionnaire and return it at your earliest convenience.

The results of this study will be written up as statistics and no individual names or responses will be quoted. If, upon its completion you desire to learn the results of the study, please check the box below.

Respectfully,

Jerry Coomes,
1002-A Birch Road
Michigan State University
East Lansing, Michigan.



APPENDIX K

POLITICAL BACKGROUND QUESTIONNAIRE OF LIEUTENANT GOVERNOR

1. How long have you been a member of your political party? _____
2. Please list positions held in your party organization.

PositionTime

1. _____
2. _____
3. _____
4. _____

3. What is the extent of your public office experience? Please indicate in third column whether the position was an elected (E), appointed (A), or a Civil Service (CS) one.

PositionTimeType

1. _____
2. _____
3. _____
4. _____

4. From which element of your party do you receive the most support? Answer by listing those elements which gave most support down to the least.

A. Urban
B. Rural

C. Suburban
D. Religious

E. Labor
F. Agricultural

G. Lg. Commercial
H. Sm. Business

1. _____ 4. _____ 7. _____
2. _____ 5. _____ 8. _____
3. _____ 6. _____

5. Would you say your nomination was due mainly to your position in the party or to your position or actions outside of politics?
- _____
- _____

6. Did the present Governor support your nomination? yes _____ no _____

7. Do you represent the minority or majority group of your party?

Remarks? _____

8. List some important functions of the Lieutenant Governor in addition to substituting for the Governor and presiding officer of the Senate.

1. _____
2. _____
3. _____

9. Are you formally or informally included in the Governor's Advisory Council? Circle.

PositionFunction

1. _____
2. _____
3. _____

- _____
- _____
- _____

10. Please list other reasons on back of this page, which would further describe the Lieutenant Governor's influence, or lack of it, in the legislature.

of the Senate.

9.

Are you formally or informally included in the Governor's
Advisory Council? Circle.

1.
2.
3.

Position

Function

1.
2.
3.

10.

Please list other reasons on back of this page, which would
further describe the Lieutenant Governor's influence, or lack
of it, in the Legislature.

BIOGRAPHICAL QUESTIONNAIRE OF LEUTENANT GOVERNOR

1. Age _____
2. Occupation _____
3. Formal Education: Grade School only _____
 Completed High School _____
 Some College _____
 Completed College _____
 Graduated, or Professional Degree _____
4. Legal residence _____
 Size of residence _____
 How many years lived there _____
5. Predominant economic make-up of home community.
 agricultural _____ industrial _____ commercial _____
6. For what reasons would your residence be an asset or liability
 in an election?
 1. _____
 2. _____
 3. _____
7. Organization affiliations: List various organizations you be-
 long to in each category and indicate those in which you are an
 officer.

<u>Organization</u>	<u>Office</u>
Fraternal _____	_____
Veterans _____	_____
Business _____	_____
Farm _____	_____
Professional _____	_____
Religious _____	_____
Social _____	_____
Labor _____	_____
Other _____	_____

8. Which of the above organizations gave you the most political support?

9. Please list any other reasons that would help to explain why
 you were a successful candidate for Lieutenant Governor.

8. Which of the above organizations gave you the most political support?

9. Please list any other reasons that would help to explain why you were a successful candidate for Lieutenant Governor.

LIEUTENANT GOVERNOR'S EXECUTIVE PARTICIPATION QUESTIONNAIRE

These questions are designed to obtain your judgement relative to the amount of the Lieutenant Governor's assistance to the Governor.

1. How often has the Lieutenant Governor been present at executive policy or staff meetings?

never__ seldom__ occasionally__ often__ always__

Remarks: _____

2. How frequently has the Lieutenant Governor been consulted on important executive appointments?

never__ seldom__ occasionally__ often__ always__

Remarks: _____

3. To what degree has the Lieutenant Governor been asked for advice relative to an executive veto?

never__ seldom__ occasionally__ often__ always__

Remarks: _____

4. How often has the Lieutenant Governor represented the Governor at official functions?

never__ seldom__ occasionally__ often__ always__

Remarks: _____

5. To what extent has the Lieutenant Governor been asked by the Governor to line up support for his program in the Legislature?

never__ seldom__ occasionally__ often__ always__

Remarks: _____

6. How often has the Lieutenant Governor been asked by the executive office to win the support of key individuals or interest groups outside of government for one of the Governor's legislative measures?

never__ seldom__ occasionally__ often__ always__

Remarks: _____

7. How often has the Lieutenant Governor received assignments from the Governor to develop a legislative program?

never__ seldom__ occasionally__ often__ always__

Remarks: _____

8. Please mention on back of this page any other factors related to the Lieutenant Governor's participation on the executive level which would tend to affect his influence or lack of it in the Legislature.

6. How often has the Lieutenant Governor been asked by the executive office to win the support of key individuals or interest groups outside of government for one of the Governor's legislative measures?

never — seldom — occasionally — often — always —

Remarks:

7. How often has the Lieutenant Governor received assignments from the Governor to develop a legislative program?

never — seldom — occasionally — often — always —

Remarks:

8. Please mention on back of this page any other factors related to the Lieutenant Governor's participation on the executive level which would tend to affect his influence or lack of it in the Legislature.

APPENDIX M

(Follow-up letter sent to governors, lt. governors and legislators)
MICHIGAN STATE UNIVERSITY

OF AGRICULTURE AND APPLIED SCIENCE • EAST LANSING

DEPARTMENT OF POLITICAL SCIENCE

A short time ago your office was sent a questionnaire from the Department of Political Science at Michigan State University. May I take a few minutes of your time to explain its purpose and value?

First, this study represents the final requirement for a Master's Degree in Political Science.

The study involves the Governors, Lieutenant Governors and Party Leaders in the 37 states where the office of Lieutenant Governor exists in the United States.

A great many of the above have been kind enough to complete their questionnaire and return it. However, since the entire project is based solely on the questionnaire method - the study will fail unless the few outstanding questionnaires can be returned soon.

It was my hope to visit a number of the states and obtain the information first hand. Failing, I have resorted to this method which, of course, makes your cooperation essential to the success of the project.

May I thank you again for your time and leave you with the assurance that my appreciation is most sincere.

Respectfully yours,

Jerry Coomes
1002A Birch Road
East Lansing, Michigan

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